1   BEFORE THE PUBLIC SERVICE COMMISSION
                 STATE OF MISSOURI

2

3   TRANSCRIPT OF PROCEEDINGS
                 EVIDENTIARY HEARING

4

    In the Matter of the Application of Evergy
5   Metro, Inc. d/b/a Evergy Missouri Metro and

6   Evergy Missouri West, Inc. d/b/a Evergy Missouri
    We for Approval of New and Modified Tariffs for
7   Service to Large Load Customers

8   File No. EO-2025-0154

9

10   TUESDAY, SEPTEMBER 30, 2025
                  9:00 a.m.
11   Governor Office Building

12   200 Madison Street, Room 310
             Jefferson City, MO 65101

13

14   VOLUME 2

15

16
           KAROLIN WALKER, Presiding
17   REGULATORY LAW JUDGE

18   KAYLA HAHN, Chair,
             MAIDA J. COLEMAN,
19   GLEN KOLKMEYER,
             JOHN MITCHELL,
20   COMMISSIONERS

21

22

23

24
    Reported By:
25 Jodi Wade, CCR

1   INDEX

LEXITAS

7 | * * * * * * * * * * * * *

8 | EXHIBIT INDEX

19 |

20 |

21 |

22 |

23 |

24 |

25 | * * * * * * * * * * * * *

1   P R O C E E D I N G S

2 [Proceedings commencing in open court at 9:09 a.m.]

3   REGULATORY LAW JUDGE WALKER: Today is

4 September 29th -- is today the 29th? Today is

5 September 30th, 2025.

6   The Commission is set at this time for the

7 evidentiary hearing in Case Number EO-2025-0154 in

8 the matter of the application of Evergy Metro, Inc.

9 D/B/A Evergy Missouri Metro and Evergy Missouri West

10 D/B/A Missouri West for approval of new and modified

11 tariff service to large load customers.

12   My name is Karolin Walker, and I'm the

13 regulatory law judge that will be presiding over

14 this hearing.

15   To my left is Commissioners present.

16 Commissioner, the chair, Kayla Hahn; and

17 Commissioner Kolkmeyer. Commissioner Coleman will

18 be joining us and Commissioner Mitchell is online.

19   I'd like to start with -- we have a few pending

20 motions. We have a few preliminary matters. One is

21 that Liberty has filed a motion to be excused from

22 the hearing.

23   Is there anyone from Liberty here? Okay. I

24 sent an e-mail yesterday, and that motion will be

25 granted with the same conditions as for Sierra Club

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   and the data center.

2   They've given up the right to cross-examine,

3   and they will obtain any evidence that's admitted

4   from EFIS. They would like the opportunity to file

5   a brief.

6   All right, let's do entries of appearance. We

7   will start with Evergy.

8   MR. BAILEY: Thank you, Your Honor. Cole

9   Bailey. We have Jackie Whipple, Jim Fischer and

10   Chandler Hiatt for Evergy.

11   REGULATORY LAW JUDGE WALKER: Okay.

12   Commission Staff?

13   MS. HANSEN: Andrea Hansen. We also have

14   Travis Pringle and Alexandra Klaus representing

15   Staff as well.

16   REGULATORY LAW JUDGE WALKER: The Office

17   of Public Counsel?

18   MR. CLIZER: John Clizer.

19   REGULATORY LAW JUDGE WALKER: Okay. Union

20   Electric Company D/B/A Ameren Missouri?

21   MR. LOWERY: Thank you, Your Honor. Jim

22   Lowery, Wendy Taytro (phonetic) and Paula Johnson on

23   behalf of Ameren Missouri.

24   REGULATORY LAW JUDGE WALKER: Renew

25   Missouri?

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   MADAM COURT REPORTER: I'm sorry, I did

 2   not hear that at all.

 3   TECH SUPPORT: We're going to have a

 4   reporter online, so everyone needs to speak in a

 5   mic. Please come up here and talk into the mic

 6   because we do have a full house.

 7   MS. MERS: I apologize. Nichole Mers on

 8   behalf of Renew Missouri.

 9   REGULATORY LAW JUDGE WALKER: Nucor Steel

10   Sedalia (indiscernible.)

11   MS. BELL: If you'll allow me, Your Honor,

12   I'll do an entry of appearance for Marc Ellinger of

13   Ellinger Bell on behalf of Nucor Steel Sedalia.

14   He's stuck in a hearing in Cole County but will join

15   us shortly.

16   REGULATORY LAW JUDGE WALKER: And you are?

17   MS. BELL: I am Stephanie Bell. I'll do

18   my entry of appearance for Velvet Tech Services.

19   REGULATORY LAW JUDGE WALKER: Okay. Thank

20   you. Google, LLC?

21   MR. SCHULTE: Good morning. Andrew

22   Schulte, Frank Caro and Jarod Jevons with the

23   Polsinelli Law Firm on behalf of Google.

24   REGULATORY LAW JUDGE WALKER: Data Center

25   Coalition?

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   MR. VIJAYKAR: Good morning, Your Honor.

2   Nikhil Vijaykar and Alissa Greenwald from the law

3   firm of Keyes and Fox, LLP, on behalf of the Data

4   Center Coalition.

5   REGULATORY LAW JUDGE WALKER: The Sierra

6   Club?

7   MS. RUBENSTEIN: Good morning, Your Honor.

8   Sarah Rubinstein on behalf of Sierra Club.

9   REGULATORY LAW JUDGE WALKER: Please

10 silence any cell phones or other electronic devices

11 that you have.

12   Your exhibits are -- should be premarked

13 and continue sequentially. Does anybody need time

14 to mark them? Good.

15   As far as the order of witnesses, we're

16 going to follow the order filed by the parties and

17 their joint list of issues and witnesses.

18   Are there any pending motions that we have

19 not discussed, other than the late-filed testimony

20 motion from Evergy, which we will grant?

21   MR. PRINGLE: Oh, well, actually, Judge,

22 Staff has an objection to that motion and was

23 planning on filing a written objection later this

24 morning.

25   At an alternative to our request that if

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 that motion be rejected, we will be attaching a

2 Staff memorandum in opposition to the nonunanimous

3 stipulation agreement that our alternative relief

4 would be to enter that in the record. But it has

5 not been filed yet. It will be filed momentarily.

6   REGULATORY LAW JUDGE WALKER: Okay. I'm

7 going to admit the late-filed testimony from Evergy

8 and give you an opportunity when you testify to file

9 what you would like to file in opposition to that

10 motion.

11   MR. CLIZER: Your Honor, the OPC would

12 also like to lodge an objection to the inclusion of

13 the admitted. I know that you've already ruled on

14 it, but for the sake of the record, I would like to

15 lodge our objection and request permission to late

16 file if we see fit as well.

17   REGULATORY LAW JUDGE WALKER: I'll note

18 your objection, and your request is granted.

19   MR. BAILEY: Your Honor, this is Cole

20 Bailey with Evergy. Is there -- can we have a

21 deadline for those, the filing?

22   REGULATORY LAW JUDGE WALKER: I'll let the

23 parties set their deadline later in the case.

24   MR. BAILEY: Okay.

25   REGULATORY LAW JUDGE WALKER: Please

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   remind me. Are there any other preliminary matters

2   we need to address?

3   Okay, let's start with opening statements.

4   Evergy? Are you offering this to be admitted as

5   evidence?

6   MS. WHIPPLE: No. This is just for

7   (indiscernible). I distributed copies to the

8   attorneys for the parties as well.

9   REGULATORY LAW JUDGE WALKER: Do you have

10 extra copies for the Commissioners so they may

11 review what -- oh, they are. Okay, thank you. All

12 right, you may begin.

13   MS. WHIPPLE: I will have a PowerPoint.

14 When Brian has it up, we'll -- I'll be able to do

15 that.

16   REGULATORY LAW JUDGE WALKER: Okay.

17   MS. WHIPPLE: Thank you so much.

18   REGULATORY LAW JUDGE WALKER: Perfect.

19   MS. WHIPPLE: I'll just introduce myself

20 meantime. Good morning. As we entered our

21 appearance, I am Jackie Whipple with the law firm of

22 Denton's U.S., LLP.

23   I am here with my colleague Chandler

24 Hiatt. Cole Bailey is with Evergy today. And Jim

25 Fischer of Fischer and Dority, P.C. is here as well.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   We represent, of course, the applicants,

 2 Evergy Missouri West and Evergy Missouri Metro. We

 3 may be referring to them as Evergy or the Company or

 4 EMM in the case of Evergy Missouri Metro or EMW in

 5 the case of Evergy Missouri West.

 6   REGULATORY LAW JUDGE WALKER: (Inaudible.)

 7   MS. WHIPPLE: Your Honor, up to you. I

 8 certainly don't want to cause delay. I have passed

 9 out hard copies of my opening statement and -- so

10 that parties' counsel and the Commission can review

11 it as I speak, and I can just, kind of, give some

12 verbal cues.

13   Or we can wait for the restart on Brian's

14 computer. How would you like to proceed, Your

15 Honor?

16   REGULATORY LAW JUDGE WALKER: I think

17 we're going to wait until Brian reboots his computer

18 so that everybody who is here --

19   MS. WHIPPLE: Can see it.

20   REGULATORY LAW JUDGE WALKER: -- has the

21 benefit of looking at what you have given the

22 Commission.

23   MS. WHIPPLE: Understood.

24   MADAM COURT REPORTER: Your Honor, while

25 we're waiting, can you make one announcement to

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 everyone to make sure if they do make an objection

2 or speak, if they would please say their name just

3 so that I don't get confused on who's talking?

4   REGULATORY LAW JUDGE WALKER: Sure.

5   MADAM COURT REPORTER: Thank you so much.

6   MS. WHIPPLE: This is Jackie Whipple for

7 Evergy. I'll be giving the opening statement.

8   REGULATORY LAW JUDGE WALKER: Can you

9 spell your name for the court reporter, please.

10   MS. WHIPPLE: Jacqueline Whipple,

11 J-A-C-Q-U-E-L-I-N-E. I also go by Jackie. Last

12 name is Whipple, W-H-I-P-P-L-E. And my information

13 is in the record.

14   MR. PRINGLE: And if it helps the court

15 reporter, the objection voiced earlier on behalf of

16 Staff was Travis Pringle.

17   MADAM COURT REPORTER: Thank you very

18 much. I appreciate that.

19   MR. PRINGLE: No problem.

20   MS. WHIPPLE: May it please the

21 Commission. Good morning, as explained in Evergy's

22 application and prefiled testimony, this case

23 involves Evergy's request for the Commission's

24 approval of its large load power service, also

25 referred to as LLPS, rate plan, including schedule

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 LLPS and its associated writers, along with

2 conforming changes to existing tariffs and related

3 updates to Metro's and West's general rules and

4 regulations.

5   In addition and as I will later describe

6 further, Evergy requests today the Commission's

7 approval of the September 25, 2025, nonunanimous

8 stipulation and agreement, which we may refer to as

9 the Stipulation or the Stipulation and Agreement, to

10 which the following parties are signatories:

11 Evergy; Ameren; Google; Data Center Coalition, or

12 DCC; Renew Missouri; Velvet Tech Services; Nucor

13 Steel Sedalia; the Sierra Club.

14   Likewise, Liberty has indicated that it

15 does not object to the stipulation; although, it is

16 not participating in today's hearing.

17   Today, we believe the Commission is faced

18 with a choice. Does the Commission choose to

19 encourage economic development and load growth in a

20 responsible and fair way in the state of Missouri,

21 or will the Commission cede that opportunity to

22 surrounding states including Kansas?

23   As this Commission is well aware, the

24 national electrical grid is experiencing the most

25 dramatic load growth in modern history driven by AI,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 data center development, industrial electrification,

2 onshoring and decarbonization objectives.

3   These developments are impacting Southwest

4 Power Pool, or SPP, which has warned that demand for

5 electricity is outpacing the supply from its

6 generation fleet.

7   Even more specific to Missouri, Evergy's

8 energy pipeline includes over six gigawatts of

9 potential new load. Several customers have acquired

10 land or land rights within the state, signed letters

11 of agreement or made financial commitments to

12 Evergy, including that a large Meta facility is

13 already secured within the state of Missouri.

14   The earliest time frame that LLPS

15 customers could start to take service from Evergy is

16 first quarter of 2026.

17   While the scale of growth is

18 unprecedented, so too are the economic benefits that

19 come with it, including thousands of future

20 construction and permanent jobs, incremental tax

21 base and longer-term technology infrastructure

22 improvements.

23   The Commission and Missouri utilities are

24 well positioned to facilitate the economic

25 development driven by these large loads because of

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Missouri's newly enacted Senate Bill 4 codified at

2 Section 393.130.7.

3   Evergy believes, and all of the nonstate

4 agency parties to the stipulation agree, that

5 adopting the nonunanimous stipulation and agreement

6 is the path forward.

7   Section 393.130.7 enables electrical

8 corporations to, quote, develop and submit to the

9 Commission schedules to include in the Electrical

10 Corporation Service Tariff applicable to customers

11 who are reasonably projected to have above an annual

12 peak demand of 100 megawatts or more.

13   The schedules should reasonably ensure

14 such customer's rates will reflect the customer's

15 representative share of the costs incurred to serve

16 the customers and prevent other customer class's

17 rates from reflecting any unjust or unreasonable

18 costs arising from service to such customers, end

19 quote.

20   In response to the influx of large load

21 customer interests in Missouri and in compliance

22 with Senate Bill 4, Evergy has developed the LLPS

23 rate plan, which is now modified by the stipulation.

24   As described in Evergy's application and

25 the prefiled testimony of Evergy's witnesses, the

1   LLPS rate plan is founded on the Commission-approved

2   structure for large commercial and industrial

3   service but is enhanced to accommodate today's very

4   large customers who are distinct in scale and

5   sophistication.

6   As I noted, the stipulation was filed as a

7   modification to Evergy's original tariff proposal.

8   Only Staff and OPC are nonsignatories to the

9   stipulation.

10   I will highlight key aspects of the

11   Company's modified tariff proposal, but all of the

12   ways in which the stipulation modifies Evergy's

13   original application are detailed by Company Witness

14   Gunn in his supporting testimony filed in support of

15   the stipulation on September 29 and which was

16   granted into the record this morning.

17   Overall, the modified LLPS rate plan can

18   be implemented practically. It maintains the

19   Company's and existing customer's ability to benefit

20   from these economic development opportunities in

21   Missouri, and it effectively balances costs and

22   protections among all customers.

23   Accordingly, Schedule LLPS applies to new

24   Missouri customers with monthly peak demands

25   reasonably expected to be at or above 75 megawatts

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   and for existing customers who add 75 megawatts or

2   more of incremental load.

3   The LLPS structure is aligned with the

4   Company's LPS rate architecture while incorporating

5   additional protective and customer-choice features,

6   including but not limited to a service agreement

7   with a minimum term that includes up to five years

8   of an optional transitional load ramp period plus 12

9   years for LLPS customers exceeding 75 megawatts.

10   It includes minimum bill and minimum

11   demand commitments with defined capacity reduction

12   and termination fee frameworks to protect

13   nonparticipants from stranded cost risks.

14   It includes credit worthiness and

15   collateral requirements. It has complementary

16   writers that enable demand response, capacity

17   management and clean energy procurement aligned to

18   customer goals.

19   The path to power queue reforms for loads

20   customers over 25 megawatts with initial

21   evaluations; refundable deposits and $200,000

22   increments, a cluster study approach; and defined

23   priority for community interest projects.

24   There are also clear rules for cost

25   responsibility of transmission costs that require

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 them to be paid by the requesting large load

2 customer, excluding SPP network upgrades. The

3 general rules and regulations are updated to

4 memorialize these regulations and obligations.

5   There's also a mechanism for recovering

6 additional costs to serve the large loads, the cost

7 stabilization writer and increased demand charge.

8 Initial pricing is set in Exhibit A of the

9 stipulation.

10   The LLPS rate plan adequately responds,

11 therefore, to the unique needs of large load

12 customers while protecting existing customers and

13 ensuring large load customers pay their

14 representative shares of incremental costs.

15   The modified LLPS rate plan also positions

16 Evergy in the middle of the fairway, with respect to

17 large load plans implemented nationwide helping

18 ensure that Missouri is able to compete effectively

19 for this new load.

20   To further explain the Company's

21 application and for purposes of your later

22 questions, the Company's witnesses are Kevin Gunn,

23 vice president of regulatory and government affairs,

24 who discusses national energy trends, the LLPS rate

25 plans, statutory and policy alignment and the

1   stipulation.

2   Jason Klindt, who is senior director of

3   external affairs. He will be adopting the testimony

4   of Evergy witness, Jeff Martin, who is retiring.

5   Jason Klindt, on behalf of the Company,

6   discusses the Company's "path to power" approach.

7   Derek Brown is the director of large

8   customer strategy and planning who serves also as a

9   key Evergy representative to the SPP. He will

10   discuss the Company's load serving capabilities and

11   commitments as well as comments on load related

12   developments within SPP.

13   Bradley Lutz is the director of regulatory

14   affairs. He discusses the intricacies of the LLPS

15   rate plan and its associated writers as modified by

16   the stipulation.

17   There are several issues notwithstanding

18   the stipulation that are still present in this

19   proceeding for the Commission's resolution.

20   Although Section 393.130.7 permits only

21   utilities to submit large load tariffs for the

22   Commission's approval, Staff in its report and

23   recommendation filed its own proposed tariff

24   regarding large load customers rather than engage

25   with Evergy's tariff, which was developed after

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   years of experience with actual large load customers

2   and months of nationwide industry benchmarking,

3   unlike Staff's proposal in this case.

4   Staff invented a holding (phonetic)

5   competing proposal. In effect and contrary to the

6   governing statute, Staff has positioned this case to

7   force the Commission to choose between Staff's and

8   the Company's diametrically opposed tariffs.

9   As a result, the following issues on the

10   parties jointly-filed list of issues still remain

11   for Commission resolution. And they are listed on

12   the PowerPoint, and they are A., B., C., D., E.a.,

13   F., G., H., I., J., K., M., N., O., P., Q., R., S.

14   and T.

15   Evergy witnesses and several other parties

16   in this case have detailed their disagreements with

17   Staff in their prefiled testimony, and Evergy's

18   witnesses will be available for the Commission's

19   specific questions during this hearing.

20   So for purposes of this opening statement,

21   I will address Staff's proposal more categorically.

22   As Mr. Gunn and Mr. Lutz testify, Staff's tariff

23   proposal is contrary to Section 393.130.7,

24   Missouri's economic development policies and

25   regulatory precedent.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Staff has not identified any state or

2   industry trend to support its proposal, which is

3   considerably more complex than any other large load

4   design examined by Evergy in its months of tariff

5   research.

6   Likewise, Staff developed its tariffs with

7   little to no input from real-world customers.

8   Frankly, Staff's proposal is an outlier that

9   deviates from anything Evergy has ever reviewed

10   across the country.

11   As a necessary result Staff's proposal has

12   not been tested or adopted in the United States. As

13   the customers in this proceeding even explain,

14   Staff's proposal cannot be practically implemented,

15   does not align with conventional rate-making

16   practices and instead unreasonably allocates

17   incremental costs to customers in violation of the

18   governing statute.

19   Staff expresses concern, for example, that

20   Evergy's tariff will maximize shareholder benefits

21   from, quote, positive regulatory lag, end quote,

22   associated with LLPS customers.

23   But this is misguided. As Mr. Gunn

24   explains, no statute in Missouri precludes positive

25   regulatory lag as it is a normal aspect of utility

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 rate making and cannot be invoked slowly to the

2 detriment of the utility, of course.

3 Moreover, any new revenue collected via

4 this tariff will mitigate associated cost impacts

5 and provide rate stabilization for existing

6 customers.

7 If the Company earns revenue above this

8 offset, the Commission's traditional rate making

9 processes will still apply requiring Evergy to

10 reimburse customers in the event it exceeds its

11 authorized rate of return.

12 Staff proposes that Evergy incorporate

13 fuel adjustment clause, or FAC, LLPS adjustments to

14 track the, quote, excess, end quote, revenue from

15 LLPS customers as a regulatory liability.

16 However, such approach would be a

17 significant departure from established regulatory

18 policy and Commission precedent and would unduly

19 increase regulatory burden as Mr. Lutz and Mr. Gunn

20 both explain in their testimony.

21 Evergy also disagrees with Staff that all

22 material terms should be defined in the tariffs and,

23 subject to the Commission's approval, doing so would

24 unduly restrict Evergy's ability to exercise

25 reasonable discretion while servicing LLPS customers

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 since those customer's needs are highly

2 individualized and not amenable to a

3 one-size-fits-all approach.

4   As Mr. Lutz, Mr. Martin, Jason Klindt and

5 Mr. Gunn testify, Section 393.130.7 permits the

6 Company this discretion in its tariffs.

7   Staff recommends denying all of Evergy's

8 optional writers, despite their very benefits to

9 customers.

10   Instead, Staff's proposal includes

11 additional charges and rate components at price

12 levels dependent on volatile variables that are

13 beyond the LLPS customers' control, which would

14 unnecessarily increase cost uncertainty for the

15 customer.

16   Staff also recommends registering LLPS

17 customers as separate SPP commercial pricing nodes,

18 a step that, to Evergy's knowledge, is unprecedented

19 within the SPP process.

20   As Mr. Brown explains, this approach would

21 create highly volatile -- I'm having trouble with

22 that word -- highly volatile and unpredicted rates

23 and would subject LLPS customers to costs they did

24 not solely cause.

25   Staff risks isolating Missouri from a

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   once-in-a-generation growth opportunity, and Staff

2   is inconsistent with how other jurisdictions have

3   accommodated large loads.

4   Staff even recommends arbitrarily

5   restricting the quantity of load to be provided by

6   LLPS customers foregoing the associated benefits to

7   existing customers and to the state and while being

8   unduly discriminatory to other customers.

9   Overall, Staff's tariffs would drastically

10   chill economic development in the state of Missouri

11   from LLPS customers as Evergy's and other party's

12   witnesses have testified.

13   Therefore, the Commission should approve

14   the stipulation, reject Staff's recommendation in

15   whole and approve the Company's modified tariff

16   proposal in this case.

17   As to OPC's arguments, OPC's prefiled

18   testimony generally offers blanket support for

19   Staff's recommendations without any substantive

20   analysis.

21   Different from Staff, however, OPC Witness

22   Mark's testimony asserts that certain studies should

23   be required for customers to take service under the

24   LLPS tariff.

25   However, as discussed by Evergy Witness

888-893-3767
www.lexitaslegal.com   Lexitas operates in all 50 states and is licensed where required.
                              Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Kevin Gunn, requiring such studies is not part of

2   industry standard in SPP or across the United

3   States.

4   These studies are focused on issues that

5   are behind the meter and do not provide value for

6   advanced manufacturing or other nondata center LLPS

7   customers.

8   Witness Mark also suggests service under

9   the LLPS schedule be subject to mandatory emergency

10   curtailments.

11   But as explained by Mr. Lutz, EMW and EMM

12   already have an emergency energy conservation plan

13   memorialized in their general rules and regulations.

14   These plans define an emergency and

15   highlight the major steps that will be taken during

16   an emergency called the SPP reliability coordinator.

17   OPC Witness Mantle testifies regarding

18   Evergy's FAC, which would not need to be addressed

19   by the Commission if the Commission approves

20   Evergy's tariffs proposal in this proceeding rather

21   than Staff's.

22   The Company's proposal does not alter the

23   existing FAC structure except for some immaterial

24   changes regarding certain renewable programs, as

25   Mr. Lutz explains further.

1   Importantly, existing customers will

2   actually receive an advantage in the form of

3   mitigated cost impacts and rate stabilization when

4   large load customers' revenues flow through the

5   existing FAC as it currently operates.

6   In conclusion, Evergy's modified LLPS rate

7   plan satisfies Section 393.130.7 by reasonably

8   ensuring large load customers pay their

9   representative share of costs and by preventing

10   unjust or unreasonable costs from being shifted to

11   other customers.

12   It meets the needs of Missouri's grid and

13   economy, and it does so with the protections,

14   transparency and flexibility that this Commission

15   expects.

16   Staff's and OPC's alternative proposal is

17   radical, unlawful and impractical in stark contrast.

18   It would needlessly and severely impair Missouri's

19   competitiveness at precisely the moment when prudent

20   policy can deliver durable public benefits in this

21   state.

22   Evergy respectfully requests approval of

23   the stipulation and of its application as modified

24   by the stipulation in full. Thank you.

25   MS. HANSEN: Good morning. And for the

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 court reporter, my name is Andrea Hansen, and I am

2 giving the opening statement for Staff.

3   REGULATORY LAW JUDGE WALKER: Will you

4 spell your name for the court reporter?

5   MS. HANSEN: Absolutely. It's

6 A-N-D-R-E-A, H-A-N-S-E-N.

7   Good morning and may it please the

8 Commission. My name is Andrea Hansen, and I am one

9 of the attorneys representing Commission Staff on

10 this case.

11   My colleagues, Travis Pringle and

12 Alexandra Klaus, are also representing Commission

13 Staff in this case.

14   Since it was established in 1913, the

15 Missouri Public Service Commission has had many

16 decisions that have had far-reaching consequences.

17 The case before the Commission today is no

18 exception.

19   The loads that will be served under the

20 tariffs authorized in this case will be far larger

21 than any load of a customer currently served in any

22 investor-owned utility in the state of Missouri

23 today.

24   Both Commission Staff and the OPC

25 recognize the potential impacts of this decision.

1   As such, both parties are aligned pertaining to the

2   potential impacts Evergy's application will have on

3   existing rate payers.

4   Evergy filed this application under

5   Section 393.140 Subsection 11 of the revised

6   statutes of Missouri and the Commission's general

7   rule regarding applications.

8   Section 393.140 describes the general

9   powers of the Commission in respect to gas, water,

10   electricity and sewer services.

11   More specifically, Subsection 11 describes

12   in part that the Commission has the power to require

13   every electrical corporation to file with the

14   Commission and to print and to keep open-to-public

15   inspection schedules showing all rates and charges

16   made established or enforced or to be charged or

17   enforced and all forms of contract or agreement and

18   all rules and regulations relating to rates, charges

19   or service used or to be used and all general

20   privileges and facilities granted or allowed by such

21   electrical corporation.

22   Importantly, that subsection ends by

23   stating the Commission shall also have power to

24   establish such rules and regulations to carry into

25   effect the provisions of the subdivision as it may

1 deem necessary and to modify and amend such rules or

2 regulations from time to time.

3   Why is this so important? It is so

4 important because the Commission is in the driver's

5 seat when it comes to determining what is reasonable

6 in this case and the Commission has options in

7 making this determination.

8   For instance, we are aware that EMM; EMW;

9 Ameren, Missouri; Google; Velvet Tech; Nucor; the

10 Data Center Coalition; Sierra Club; Renew Missouri

11 have entered into and filed a nonunanimous

12 stipulation and agreement.

13   Staff as noted in its filed objection to

14 that stipulation -- as Staff as noted in its filed

15 objection to that stipulation, this stipulation will

16 result in increases to the bills of existing

17 customers through the FAC and will not comply with

18 Missouri law, and Staff also intends to further

19 brief on this issue.

20   Staff recommends that the Commission

21 reject the stipulation to which neither Staff nor

22 the OPC are a party. And if, if the Commission does

23 order a tariff to be filed on the basic terms of

24 this stipulation, Staff begs the Commission to

25 require tracking of revenues and expenses to a

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   regulatory deferral account to be addressed in a

2   future general rate case.

3   There are some additional options. These

4   are the Commission can reject Evergy's application;

5   the Commission can approve Evergy's application; the

6   Commission can approve Evergy's application, subject

7   to conditions, which here Staff would urge the

8   Commission to order a tariff filing consistent with

9   the tariff set out in Schedule 1 to Sarah Linge's

10   (phonetic) sur rebuttal testimony.

11   Because no tariffs have been filed in this

12   case, no deadline clock has started and the

13   Commission needn't be rushed in its decision.

14   The Commission can hear all of the

15   evidence in this case and all of the evidence in

16   ET-2025-0184, Ameren, Missouri's large load tariff

17   filing, and making its decision after hearing both

18   of those cases.

19   While Staff does not support end-use

20   rates, the Commission could determine that Evergy's

21   proposed tariff applies only to data centers, as

22   supported by OPC Witness Jeff Mark's surrebuttal

23   testimony. Or the Commission could order a working

24   docket to facilitate Commission input into the

25   development of a final tariff.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   There are three broad questions that Staff

2   encourages the Commission to keep in mind as you

3   listen today to testimony and as you make your

4   decision in the coming weeks.

5   Question number one, how do we ensure that

6   in designing rates that work for data centers the

7   Commission does not order rates that create barriers

8   of entry for other large customers?

9   This case is about creating a tariff to

10 serve a diverse pool of potential customers which

11 may include data centers, but it could also include

12 factories, (indiscernible), agriculture and

13 technologies that may not even exist today.

14   That potential diversity necessitates a

15 rate structure allows a reasonable rate to be billed

16 to each customer.

17   Such a rate structure will not be a flat

18 energy demand -- sorry, and flat energy charge and a

19 static minimum demand as proposed by the signatory

20 parties to the stipulation mentioned above.

21   Evergy witnesses have painted Staff's

22 recommendation recommended rate structure as

23 complicated, but Staff's recommended rate structures

24 are far simpler than the annual billing demand and

25 hours-use rate elements that Evergy currently

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 applies to customers far smaller and far less

2 sophisticated than potential large load power

3 service customers, or LLPS customers.

4   Staff's recommendation leans on

5 transparency and flexibility for a wide variety of

6 industry types as opposed to the stipulation

7 approach, which enables Evergy to capture massive

8 amounts of revenue for shareholders between rate

9 cases and is likely to lead to far more contentious

10 rate cases in the future, which due to the

11 confidential customer information could also involve

12 significant amounts of time, days to weeks of

13 in-camera hearing.

14   Question number two, what are the right

15 rates under Senate Bill 4 codified in part as

16 Section 393.130.7 of the -- in the revised or the

17 Missouri revised statute Section 393.140, the

18 statute under which Evergy filed this application.

19   Staff's approach facilitates rightsizing

20 the bills of potentially diverse customers, and

21 Staff's approach is more transparent than Evergy's

22 proposed rate structure.

23   Staff's proposed rate elements are rooted

24 in cost causation. The components used by Staff in

25 this approach to rate structure in the incident case

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 are the elements that are reviewed and allocated in

2 class cost of service studies.

3   The usage of these components allow

4 customer bills across diverse industries that may be

5 served through all the rate schedule to better

6 reflect the cost of serving each customer.

7   Staff proposes demand deviation charges

8 and imbalance charge -- charges that work better

9 rather than a static minimum demand charge.

10   This approach operates in a way that

11 benefits customers who do not have a one-hundred

12 percent load factor without overcharging customers

13 with a flat load.

14   This would better serve potentially

15 diverse customers that are not data centers. A

16 significant concern with the Evergy approach is the

17 lack of transparency, especially as Evergy's

18 approach contemplates customer agreements, which

19 would vary the calculations of bills for LLPS

20 customers from the tariffed calculation and

21 potentially include a series of offsetting

22 agreements and pricing terms.

23   In fact, Evergy's position statement in

24 this case states that a form customer agreement

25 should not be included in the Commission-approved

1 LLPS rate tariffs resulting from this case.

2   Evergy's rationale in taking this position

3 is because, one, Evergy believes a formed customer

4 agreement would unduly restrict Evergy's discretion

5 in servicing large customers; two, that the elements

6 included on a given customer's bill will inherently

7 vary from customer to customer; and three, that the

8 pricing within these elements is also unique from

9 customer to customer.

10   Thus, in Evergy's opinion, it is not

11 reasonable to subject the LLPS customer to a form

12 service agreement.

13   This is not consistent with a filed rate

14 doctrine. And the Commission should ask, one, does

15 the large load tariff in this stipulation really set

16 out the rates and terms for those customers, or,

17 two, will customers effectively be served under

18 special rate contracts without the prior approval

19 and oversight that the Commission has historically

20 exercised over special contracts.

21   The stipulations deference to customer

22 service agreements does not provide the level of

23 transparency needed for the Commission to

24 effectively determine whether Evergy is complying

25 with statutes and rules.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   And this is just one small aspect of

2   Evergy's proposal. Evergy's position on this issue

3   is in contrast to Missouri's large load -- to Ameren

4   Missouri's large load customer proposal, which

5   includes a form agreement or ESA.

6   One should know as well that, Ameren

7   Missouri has been forthcoming in providing examples

8   of additional or supplemental agreements upon

9   request of Staff.

10   The lack of transparency afforded by

11   Evergy's proposed customer agreements is partly why

12   Staff recommended an alternative under which any

13   customer considering taking service in the EMM or

14   EMW territories can simply look at the published

15   tariff in conjunction with their own usage

16   projections and readily estimate what they're bill

17   would be without resorting to customer-specific

18   terms and pricing.

19   The third and last question Staff requests

20   that the Commission keep in mind today during

21   today's hearing and ultimately in making its

22   decision is: Are other customers impermissibly

23   harmed?

24   Large load customer revenues cannot

25   improve affordability if the revenues from the bills

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 they pay are retained by Evergy.

2   Senate Bill 4 enacted this August and for

3 this case codified under 393.130.7 requires each

4 utility to have tariff provisions applicable to

5 customers who are reasonably projected to have above

6 an annual peak demand of 100 megawatts or more.

7   That reasonably ensures that customers

8 rates will reflect the customer's representative

9 share of the costs incurred to serve the customers

10 and prevent other customer classes rates from

11 reflecting any unjust or unreasonable costs arising

12 from service to such customers and allows the

13 Commission to order tariff schedules applicable to

14 customers with lower annual peak demand.

15   If rates set for LLPS customers do not

16 cover the new cost of service to serve those

17 customers, then existing rate payers are worse off.

18   If the revenue provided by LLPS customers

19 is retained by Evergy and not passed through the

20 revenue requirement calculation but the increases to

21 cost of service are, then existing rate payers are

22 worse off even if the rates paid by LLPS customers

23 covers the cost of service.

24   It's worth repeating that large load

25 customer revenues cannot improve affordability if

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   those revenues are retained by Evergy. The

2   Commission should question and scrutinize Evergy on

3   what happens to the revenue.

4   And again, if the Commission orders a

5   tariff filing consistent with the stipulation, Staff

6   requests that this Commission require tracking of

7   revenues and expenses to a regulatory deferral

8   account to be addressed in Evergy's next rate cases.

9   Staff notes that the concepts behind

10   several of Evergy's writers are worth exploring, but

11   for now, let's assume that we can set rates for LLPS

12   customers in this case that are exactly right and

13   perfectly recognize the differences between LLPS

14   customers and existing customers.

15   The details of the interaction between --

16   the detail of the interaction of these writers and

17   these hypothetical, just-right rates would need to

18   be carefully thought out and evaluated. This will

19   require a future docket. Writers that will

20   interfere with prudent planning should be rejected.

21   As some final thoughts, I would like to

22   firmly and clearly state that Staff is not against

23   economic development.

24   However, Staff is opposed to regulatory

25   lag that benefits Evergy shareholders to the

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 detriment of remaining rate payer base -- rate payer

2 base as well as the creation of a barrier of entry

3 for future nondata center large load customers,

4 which in actuality have greater job building

5 potential than data centers.

6   Staff does not inappropriately single out

7 these large customers for any sort of unfair

8 treatment. Customers of this size, whether Noranda,

9 Nucor, Praxair or Velvet Tech have always -- have

10 nearly always been the subject of special tariffs

11 from Missouri utilities, and the complexities of

12 Schedules SIL and MKT are good examples of what

13 special tariffs look like in a (indiscernible)

14 world.

15   And, again, to reiterate, Staff is not

16 opposed to the creation of a working docket to

17 facilitate Commission input and to the development

18 on a final tariff.

19   Staff remains ready to work with

20 stakeholders in developing large load tariffs, and

21 it is true that Staff takes seriously Senate Bills

22 4 -- Senate Bill 4's charge that tariff provisions

23 reasonably ensure such customer's rates will reflect

24 the customer's representative share of the costs

25 incurred to serve the customers and prevent other

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 customer classes' rates from reflecting any unjust

2 or unreasonable costs arising from service to such

3 customers.

4   Eleven members of Staff are here today to

5 answer questions, provide explanations and give

6 additional clarity to Staff's recommendation and

7 testimony.

8   The Staff witnesses you will hear from

9 today are Jim Busch, Shawn Lange, Michael Stahlman,

10 Brooke Mastrogiannis, Jordan Hull, Brad Fortson,

11 Amanda Urandia, Brodrick Niemeyer, Claire Eubanks,

12 Jay Lubert and Sarah Linge.

13   I'll do my best to answer any questions

14 you may have or try to direct you to the individual

15 who can answer those questions. Thank you again for

16 your consideration of this immensely important case.

17   REGULATORY LAW JUDGE WALKER: Are there

18 any Commission questions? Okay, hearing none, I'm

19 going to ask the Office of Public Counsel if they

20 would like to go next or last.

21   MR. CLIZER: (Inaudible.)

22   REGULATORY LAW JUDGE WALKER: Okay.

23 Ameren?

24   MR. LOWERY: Good morning, and may it

25 please the Commission. I'm Jim Lowery and along

1 with Wendy Tatro and Paula Johnson. And we

2 represent Ameren Missouri in this case.

3   One thing I think we do agree with Staff

4 on is that this case, and Ameren Missouri's similar

5 case, present some really important issues for you

6 to consider.

7   The resolution of those issues will likely

8 have a profound impact on Missouri Electric

9 Utility's ability to do what the PSC law requires

10 that they do, and that is provide service to all who

11 desire in their service territory on terms and rates

12 -- and at rates that reflect just and reasonable

13 terms and rates.

14   The Commission's resolution of the large

15 load customer issues in this case and in Ameren

16 Missouri's case as well will also likely have a

17 profound impact on the state's ability to capture

18 the economic development opportunities that the

19 state clearly wants to capture.

20   The evidence in this case strongly

21 supports the conclusion that businesses that are

22 going to be a part of the 21st century economy,

23 including large load customers who would be served

24 under Evergy's tariff, under Ameren Missouri's

25 similar tariff, present an immense opportunity for

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Missouri to capture, literally, billions of dollars

2   of investment.

3   That investment will come, with it, will

4   come a greatly increased tax base, it will become --

5   it will employ Missourians, both in construction and

6   permanent jobs and more jobs, I think, than Staff

7   gives credit for.

8   That investment will also bring a

9   substantial increase in economic activity generally

10   driven by those investments, by goods and services

11   consumed by the people building the facilities and

12   by the workers, both construction and permanent

13   workers, who will be working at those facilities.

14   And that, in turn, will create more economic benefit

15   throughout the communities where they locate and

16   throughout the state, generally.

17   Now, I think it's always true that with

18   these economic development opportunities, and I

19   think that's true of any opportunity that you have,

20   as the saying goes, nothing ventured, nothing

21   gained.

22   I mean, there's a certain amount of risk

23   that comes along with any opportunity that one

24   pursues. That's just the way it is. And those

25   risks do require thoughtful regulation by the

1   Commission. And that's why we're here today, for

2   the Commission to exercise its regulatory authority.

3   Evergy's proposal and Ameren Missouri's

4   proposal filing do address those risks by reflecting

5   thoughtful, balanced and fair terms designed to do a

6   couple things.

7   First of all, they're designed to actually

8   capture the opportunity, to capture the economic

9   development opportunity that the state wants to

10 capture.

11   And secondly, they are designed to do so

12 in a manner that comports with Senate Bill 4,

13 specifically Section 130 -- 393.130.7 and to do what

14 that statute requires: Reasonably ensure that the

15 operation of those tariffs together with the

16 Commission's ongoing over site over terms of service

17 and over rates -- and that's important. The

18 Commission does have ongoing over site -- doesn't

19 end in this case; will mean that large load

20 customers ultimately are fair and that rates for

21 other customers are also fair.

22   Make no mistake, if we don't do the first,

23 if we don't capture the opportunity, then what the

24 terms and conditions and rates are won't matter

25 because there won't be any customers to which they

1 would apply in the first place.

2   As Ameren Missouri Witness Rob Dixon

3 details in his surrebuttal testimony, there are

4 numerous state legislative and executive policy

5 priorities that clearly establish that the policy of

6 the state is to capture economic development

7 opportunities because doing so is vital to the

8 long-term prosperity of the state.

9   As Mr. Dixon puts it, and I quote, it is

10 difficult to think of any Missouri governor or

11 General Assembly in recent memory who has not made

12 economic development one of their top priorities.

13   That is certainly true of both the current

14 and immediately previous governor whose terms have

15 coincided with the recent boom in large load and

16 data center development, end quote.

17   And Mr. Dixon, I think, aptly sums up the

18 task before the Commission in this way, quote, what

19 the Commission should be doing here is to decide,

20 based on the record in this case, weather Evergy's

21 proposal will support the state's goals in promoting

22 economic development while providing the reasonable

23 assurance from a regulatory standpoint Senate Bill 4

24 requires, end quote.

25   I note that the federal government

 1   similarly recognizes the importance of, for example,

 2   data centers to national security.

 3   You have a choice before you, and I think

 4   that's been made pretty clear by Evergy's and

 5   Staff's opening statements and by their cases.

 6   You have a choice in this docket, and it's

 7   a binary choice, between two competing proposals

 8   that can't be reconciled with each other.

 9   It's not -- it's not a case where you can

10   find middle ground and somehow meld them together.

11   They are binary, vastly different approaches to

12   large load customer tariffs. And there's really no

13   getting away from that.

14   I'm not going to go into the details of

15   each. Evergy and Staff have already done that quite

16   a bit this morning.

17   But what I will say, is that of the two

18   proposals, only Evergy's, as modified somewhat by

19   the stipulation, although the basics of it remain

20   the same as filed, is faithful to both the economic

21   development priorities of the state and to the

22   actual terms of 393.130.7, which when you distill

23   the statute to its essence, it's requiring the

24   Commission to determine that there is reasonable

25   assurance that large load customer rates and terms

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   will be fair and reasonable assurance that the rates

2   and terms for other customers will be fair.

3   Unlike Evergy's approach, Staff's proposal

4   is not faithful to both those economic development

5   priorities and to the statutory terms, which as

6   Governor Kehoe said when he signed it, was actually

7   intended to, quote, support long-term economic

8   development of the state.

9   Now, why is Staff's approach not faithful?

10   The evidence will show that it is a hodgepodge of

11   complex, unnecessary, opaque, overly risk-averse and

12   burdensome terms, conditions and rates that are

13   divorced from any basis in Evergy's actual cost of

14   service and that our biased toward overcharging

15   large load customers.

16   Moreover, as has been pointed out this

17   morning, it's uninformed by the needs of large load

18   customers that the state seeks to attract in the

19   first place, and therefore, it can't promote

20   economic development. In fact, it's likely to deter

21   economic development in the first place. Again, if

22   you don't capture the opportunity, the terms won't

23   matter.

24   We need only read Staff industry analysis

25   director Jim Busch's testimony to appreciate why the

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Staff has developed the proposal that it has put

2 before you.

3   Notwithstanding what Staff counsel said a

4 few minutes ago, Mr. Busch's testimony reflects his

5 opinion that the economic advantages of attracting

6 large load customers, I guess specifically data

7 centers is what he was talking about, to -- again,

8 attracting that investment in Missouri is simply,

9 quote, not worth the risk. That's what he said.

10   And so what has Staff done? Well, Staff

11 has developed an uncompetitive proposal that appears

12 to substitute its view point for the state's

13 decisions about the importance of economic

14 development and that suffers from the

15 (indiscernible) I just mentioned and created a

16 situation where nothing will be ventured and nothing

17 would be gained if that proposal were adopted.

18   Although Staff repeatedly -- and I would

19 point this out, they repeatedly cite 393.130.7 as if

20 it supports their tariff structure.

21   But they do so in a conclusory fashion.

22 They never provide a cogent interpretation of what

23 the statute means, but it's not difficult to see

24 what they think it means when you look at their

25 proposal.

1   It ignores the actual language of the

2   statute, and it ignores the context in which it was

3   adopted. It reflects Staff's view, it appears to

4   me, not that large load customer tariffs should

5   reasonably ensure that, essentially, rates are fair

6   on both sides, but there should be an iron clad

7   guarantee that large load customers are, in effect,

8   ring fenced such that other customers don't

9   experience a single cent of cost that could even

10   conceivably be considered to have been caused by

11   service to provide them -- provided to them.

12   Nevermind that the utility has an

13   obligation to serve those in a service territory and

14   to not discriminate amongst those customers.

15   If Staff's view point of what 390.130.7

16   means were adopted, then the General Assembly, by

17   adopting that statute, has in effect undone all of

18   the economic development related statutes that the

19   General Assembly has put in effect and Governor

20   Kehoe's signing of Senate Bill 4 is not going to

21   support economic development in the state as he said

22   it would when he signed it, but instead, it's going

23   to severely hamper it.

24   As Mr. Dixon puts it, adoption of Staff

25   proposal would amount to erecting a "closed for

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 business" sign at the borders of Missouri.

2   Compare that message to the message other

3 states are sending who have adopted tariffs that

4 are, in effect, pretty similar to Evergy's because

5 Evergy actually modeled their terms to a great

6 degree on what is happening across the country, in

7 the states with which (indiscernible) competing.

8   And that includes Kansas, our neighbor to

9 the west, where a diverse group of parties,

10 including the KCC staff and the consumer advocate in

11 Kansas have agreed on a large load customer tariff

12 that looks much like the proposal that is before you

13 in this case.

14   I want to address one other issue this

15 morning that's apart from the terms and conditions

16 of Staff's and Evergy's large load tariff proposals.

17 And that is, I wish to -- that is Staff's attempt to

18 inappropriately bootstrap into this case the

19 ratemaking treatment of future electric service

20 revenues.

21   This case is about large load customer

22 tariff terms and conditions. It's not about future

23 revenue requirements and future rate cases where all

24 relevant factors will be considered.

25   What Staff is proposing to do is yank away

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 what could be positive regulatory lag temporarily

2 created by these customers as they ramp up their

3 operations. And it's inappropriate for them to do

4 so in this case. It doesn't need to be done in this

5 case. But it's inappropriate for a number of

6 reasons.

7   First of all, it's a one-sided proposal.

8 It's a one-way tracker, and it ignores the fact that

9 utilities consistently and persistently face

10 negative regulatory lag all the time. That's the

11 way the system works. But Staff Just wants to

12 capture one side of the equation.

13   Second, it's contrary to the basic reason

14 regulatory lag exists in the first place. One of

15 the most basic principles of public utility

16 regulation, to inscient cost control and efficiency,

17 as Staff, itself, has, on many occasions, indicated

18 should be done.

19   And finally, it's biased and grossly

20 overstates the possible positive regulatory lag that

21 large load customers could provide. And I'm not

22 going to go into all the reasons why that's the

23 case, but Mr. Wills in his surrebuttal testimony

24 lays out several reasons why it grossly overstates

25 the possible positive regulator lag.

1   In closing, I want to circle back to where

2   I started. This is an important case and so, too,

3   is Ameren Missouri similar case. As you recognize

4   in your intervention orders in both cases, that

5   Staff has, in substance, made the same proposal in

6   both this case and Ameren Missouri's case, ties

7   those cases together even more closely because

8   you've really got the same proposal made in both

9   cases.

10   Consequently, in making what will be, at

11   least from a practical perspective, policy decisions

12   about how the state law and policy should be applied

13   in this context, in the context of large load

14   customers, the Commission should give strong

15   consideration to taking its decision in this case

16   under advisement once it's submitted, hearing Ameren

17   Missouri's case, and only then making its decision

18   in both cases.

19   Only then -- this approach will, as you,

20   yourself, put it in one of your intervention orders,

21   allow evaluation of, quote, both approaches to large

22   load customer demand and ultimately issue tariffs

23   that are in the best interest of the state and of

24   all customers, end quote.

25   I appreciate your attention, and if there

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 are any questions I can answer at this time, I'll do

2 my best to do so.

3   REGULATORY LAW JUDGE WALKER: Can the

4 attorney for Ameren please spell his name for the

5 court reporter.

6   MR. LOWERY: Jim, J-I-M, Lowery,

7 L-O-W-E-R-Y.

8   REGULATORY LAW JUDGE WALKER: Thank you.

9 Are there any Commission questions? Okay. Google?

10 Please state and spell your name for the court

11 reporter.

12   MR. SCHULTE: Thank you, Judge. I'm

13 Andrew Schulte. First name spelled as you would

14 expect, A-N-D-R-E-W, last name, S-C-H-U-L-T-E. And

15 along with Frank Caro and Jarod Jevons, we represent

16 Google, LLC, in this proceeding.

17   And good morning, Chair Hahn, Judge

18 Walker. Good morning, Commissioner Kolkmeyer, and

19 good morning to Commissioners Coleman and Mitchell

20 as they listen online.

21   We appreciate the opportunity to be here

22 today, and we appreciate the leadership that the

23 state of Missouri has shown on large loads.

24   That includes the proactive tariff filing

25 by Evergy, the direction provided by the General

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Assembly through the passage of Senate Bill 4 and

2   the diligence of this Commission in presiding over

3   this pivotal case.

4   Before addressing the merits of the issues

5   before you today, I want to provide some background

6   on Google's efforts to develop data centers

7   responsibly.

8   Given the increased focus of data center

9   load growth and artificial intelligence, or AI more

10   broadly, we believe it is important to state the why

11   and of Google's approach to data center deployment

12   across the state, the nation and the world.

13   Google's data center development and

14   investment is defined and informed by the following

15   pillars: First, advancing vital infrastructure.

16   That means building the necessary infrastructure of

17   tomorrow to support connection, digitization and

18   prosperity for all.

19   Second, accelerating the economy. That

20   means bringing more economic activity, new business

21   and growth opportunities to the communities we call

22   home.

23   Third, investing in communities. That

24   means collaborating with each community and

25   providing long-term support through grants,

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   educational programs and other initiatives.

2   And fourth, innovative sustainable

3   solutions. That means driving advancements in

4   sustainability every day by accelerating the clean

5   energy transition, continually improving efficiency

6   and preserving natural resources.

7   As Google takes business decisions -- as

8   Google makes business decisions regarding growth in

9   the region, clear policy and signals and regulatory

10 frameworks are key components that help Google make

11 informed and long-term business decisions.

12   In Google's view, the recently passed

13 Senate Bill 4 lays the groundwork for what should be

14 a clear, objective and transparent framework for

15 infrastructure investment across the state.

16   Because of Senate Bill 4, companies like

17 Google can explore multi-billion dollar investments

18 with increased confidence knowing that there will be

19 a clear regulatory path that balances flexibility

20 with appropriate levels of Commission over site.

21   Additionally, Missouri's long history of

22 affordable and reliable service coupled with its

23 forward looking regulatory structure make it well

24 positioned among states competing for large scale

25 data center and AI investment.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   This is why we view Missouri not just as a

2   location for new facilities but as a partner in

3   building the infrastructure of the digital future.

4   The current -- the current dynamics within

5   the energy industry and the global economy places us

6   in historic and evolving environment.

7   This dynamic requires an active commitment

8   to develop and advance new solutions, which should

9   be the result of a deliberate process that considers

10   the impact of all affected stakeholders helping us

11   to achieve our shared goals.

12   Risk management and financial risk sharing

13   structures are central to that discussion.

14   Utilities and rate payers, more broadly, have

15   historically borne the investment risks associated

16   with demand forecasting and accuracy.

17   As a good corporate and good citizen,

18   Google recognizes, however, that at current demand

19   projection levels, which include AI, cloud computing

20   and policies supporting the onshoring of advanced

21   manufacturing, it is important that the cost and

22   benefits of new infrastructure are appropriately

23   balanced and assigned.

24   While Google recognizes that projections

25   of new load growth have raised concerns among a wide

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 variety of impacted parties, we believe this

2 situation presents a unique opportunity.

3   This is a chance for regulators, customers

4 and utilities to establish partnerships that can be

5 leveraged to power the digital economy moving

6 forward.

7   Data centers are not just large consumers

8 of power. They are also economic and operational

9 partners that provide important advantages to

10 electric utilities like Evergy and their customers.

11   For example, the operational advantages

12 are numerous. They include data centers that are

13 consistent and predictable consumers of energy that

14 support the more efficient operation and planning of

15 the electric utility grid. It enables utility

16 system planners and grid operators to optimize

17 existing generation and transmission infrastructure

18 which can delay new infrastructure investments and

19 improve overall system efficiency.

20   Many large load customers engage in demand

21 management, which further enhances grid stability

22 and reliability.

23   There are also numerous economic

24 advantages associated with data centers coming

25 online. Those advantages include data center's

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   consistent energy usage, which helps distribute

2   fixed costs across a larger energy volume;

3   contributing to a lower average cost per kilowatt

4   hour for all customers.

5   Google, in particular, is leading with

6   several strategic initiatives that provide

7   significant operational benefits to electric

8   utilities like Evergy and their customers. These

9   include long-term energy storage technology.

10   Specifically, Google recently partnered

11   with Energy Dome who developed a CO2 battery

12   technology that can continuously dispatch energy for

13   eight to twenty-four hours.

14   This technology can help stabilize the

15   grid by providing natural inertia from rotating

16   machinery, to act as a shock absorber and smooth out

17   sudden changes in frequency.

18   Google is also involved in demand-side

19   flexibility initiatives. These include developing

20   the capability to dynamically shift computing tasks

21   and data consumption across its data centers to

22   enable access to available carbon-free electricity

23   and to provide additional capacity when requested by

24   system operators.

25   Google is a major contributing partner in

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 DCFlex, which is EPRI's, or the Electric Power

2 Research Institute's, new initiative to create

3 frameworks for data centers to support and

4 strengthen the grid through demand-side flexibility.

5   Google and other data centers developers

6 are investing in advanced transmission technologies.

7 Google recently announced an initiative to

8 accelerate deployment of next-generation

9 transmission technology, specifically advanced

10 conductors, across the U.S. electric grid to enhance

11 the capability and capacity of existing transmission

12 lines at a fraction of the cost of installing new

13 transition.

14   In their opening statements, Evergy and

15 Ameren addressed the numerous flaws with Staff's

16 proposal. Google agrees that there are numerous

17 fatal flaws with Staff's proposal, and those are

18 explained in Dr. Barry's surrebuttal testimony on

19 behalf of Google.

20   I will not burden the record here by

21 repeating all of those flaws; however, I do want to

22 say a few words about Google's unique perspective on

23 Staff's proposal.

24   Google has participated in large load

25 tariff proceedings in multiple jurisdictions. In

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   the Midwest specifically, Google has participated in

2   proceedings in Kansas, Ohio and Indiana in addition

3   to Missouri.

4   In Kansas and Indiana, the parties reached

5   unanimous global settlement agreements. The tariffs

6   developed through each of those proceedings followed

7   an emerging consensus on how to build -- on how to

8   balance the benefits and opportunity of large loads

9   versus the risks represented by those loads.

10   Generally speaking, the tariffs

11 established thresholds for tariff applicability;

12 minimum contract terms, including a load wrap

13 period; contract capacity requirements, including

14 permissible capacity reductions with notice and

15 fees; termination provisions, including significant

16 notice and exit fee requirements; applicable rates

17 and charges, including minimum monthly bills; and

18 customer creditworthiness and collateral or security

19 requirements.

20   Some of these large load tariffs also

21 address procedures and processes and costs

22 associated with interim capacity. Optional writers,

23 including customer capacity writers, demand response

24 writers, clean energy writers and more, and they

25 also address requirements for customer-specific

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   service agreements.

2   The stipulation and agreement in this case

3   is similar to the unanimous settlement agreement

4   filed in Kansas, and we recognize that the Kansas

5   settlement agreement is not determinative.

6   However, it is noteworthy that it was

7   supported by a very diverse group of 17

8   stakeholders, which include the KCC staff; the

9   citizens utility rate payer board, which is similar

10   to the OPC in Missouri.

11   The Kansas settlement was also supported

12   by existing industrial customers and existing school

13   district customers. The broad support in Kansas and

14   the similarities between the Kansas settlement and

15   the Missouri stipulation and agreement underscore

16   the fact that customer protections within the

17   Missouri stipulation and agreement are in alignment

18   with stakeholder expectations and widely accepted

19   standards.

20   Conversely, Staff's proposal deviates from

21   that emerging standard and sound regulatory policy.

22   For example, it has been noted that Staff did not

23   consult with any large load customers or utilities

24   nor did they conduct a detailed comparison of other

25   large load tariffs to inform or validate their

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 approach.

2   Staff assumed without sound justification

3 that the current ratemaking framework and methods

4 for cost allocation for large load customers will

5 not result in an allocation based on cost causation.

6   However, Staff has not identified

7 deficiencies in the current framework that would

8 provide the basis for their proposed changes.

9   The emerging industry standard establishes

10 terms and conditions that ensure large load

11 customers contribute their representative share of

12 costs while minimizing risks to other customers.

13   If the anticipated load growth fails to

14 materialize, which is a very unlikely scenario,

15 customers are still protected through tariff

16 provisions that I've mentioned before, which include

17 minimum contract terms, minimum monthly bills,

18 collateral requirements, notice provisions and fees

19 for any reductions in capacity.

20   Staff's proposal, however, fails to

21 include minimum demand or bill charges or options to

22 reduce contract capacity after notice and fees and

23 it does not include options to secure renewable or

24 clean energy.

25   Moreover, a complete overhaul of rates,

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 such as what Staff has proposed, should only occur

2 within a formal rate case. Staff does not have the

3 data required to determine if such a major change is

4 needed or how it would best be implemented outside

5 of the established regulatory framework of a rate

6 case.

7   Staff's proposal is unduly discriminatory

8 because it purposes separating large load customers

9 from all other customers and then allocating costs

10 and designing rates using completely different

11 methods for the large load customers.

12   It is also not cost based in several

13 respects. For example, the demand deviation charge,

14 which is proposed by Staff, penalizes large load

15 customers if their updated yearly demand estimates

16 differ from their contract demand.

17   The charges, based on the SPP deficiency

18 payment which applies to load-responsible entities

19 such as Evergy, that fail to obtain sufficient

20 capacity to meet their resource adequacy

21 requirement, such SPP deficiency payment does not

22 and should not apply to individual customers.

23   They have a similar charge called an

24 imbalance charge that penalizes large load customers

25 if its actual monthly demand is different from its

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   forecasted monthly demand. And this charge is also

2   based on the wholly unrelated SPP deficiency

3   payment.

4   Staff recommends that the Commission

5   reject Evergy's four renewable and carbon-free

6   writers that are part of the LLPS proposal, but

7   Staff does not replace those writers with options

8   that are necessary to attract large load customers

9   who often have aggressive corporate clean energy

10 goals and who desire energy options that allow them

11 to manage their energy mix.

12   The Commission should adopt the

13 stipulation and agreement in this case because it

14 falls within the emerging industry standard and

15 protects existing customers.

16   Specifically, the stipulation includes a

17 minimum contract term of 12 years in addition to a

18 ramp period of five years, which is consistent with

19 the recently approved large load tariff for Indiana,

20 Michigan power in Indiana.

21   The stipulation implements a minimum

22 demand charge of 80 percent of contract capacity,

23 even if actual usage falls below that threshold.

24   Additionally, under the stipulation, large

25 load customers cannot exit the system without 36

1   months notice and payment of an exit fee equal to

2   the value of the minimum monthly bill times the

3   number of months remaining in the term -- extension

4   term or 12 months, whichever is greater.

5   Large load customers cannot reduce their

6   contract capacity during the first five years of the

7   term, but may subsequently reduce their contract

8   capacity only within certain limits. Those limits

9   are 25 megawatts or ten percent, whichever is lower.

10   But that reduction may only occur after 24

11   months prior notice, and reductions beyond that

12   amount, so beyond 25 megawatts or ten percent,

13   require 36 months notice and payment of fees based

14   on the remaining minimum monthly bills.

15   These protections ensure that other

16   customer class's rates will not reflect any unjust

17   or unreasonable costs associated with service to

18   large load customers.

19   Thank you, again, for the opportunity to

20   be here and for your consideration of the evidence

21   that was prefiled in this testimony and that you

22   will hear during the evidentiary proceedings.

23   Google's witness, Dr. Carolyn Barry

24   (phonetic), is in the hearing room this morning, and

25   she looks forward to responding to your questions

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   regarding the emerging industry standards for large

2   load tariffs and the appropriate balance that is

3   struck by the stipulation filed in this case. Thank

4   you.

5   REGULATORY LAW JUDGE WALKER: Any

6   Commission questions? Hearing none, we will go to

7   opening statements for Data Center.

8   MR. VIJAYKAR: Thank you, Your Honor, and

9   this is Nikhil Vijaykar appearing via video. Can

10 everybody hear me?

11   REGULATORY LAW JUDGE WALKER: Yes. Can

12 you, please, spell your name for the court reporter.

13   MR. VIJAYKAR: Certainly. My name is

14 Nikhil, that's N-I-K-H-I-L. My last name is

15 Vijaykar, V-I-J-A-Y-K-A-R.

16   Okay, thank you and good morning and may

17 it please the Commission. My name, again, is Nikhil

18 Vijaykar, and I am one of the attorneys representing

19 the Data Center Coalition in this case.

20   My colleague, Alissa Greenwald, is also

21 online and is also representing DCC in this case,

22 and we appreciate this opportunity to present an

23 opening statement.

24   Let me start with some quick background on

25 DCC for the Commission's benefit. DCC is the

1 National Association for the data center industry.

2 It represents leading companies who own and operated

3 data center infrastructure across the country and

4 the across the globe.

5   In this opening statement, I will discuss

6 DCC's perspective on Evergy's LLPS application and

7 request the Commission approve the September 25th,

8 2025, nonunanimous stipulation that several parties,

9 several council have already addressed this morning.

10   As I will explain, that stipulation is a

11 balanced resolution of the several important policy

12 issues and questions that Evergy's application

13 raises.

14   Now, Commissioners and Your Honor, as you

15 have heard from parties already, the reason we're

16 here, the emphasis behind Evergy's application is a

17 surge in request for service from large load

18 customers, including data center customers like

19 DCC's members.

20   Now, these customers represent a massive

21 opportunity for the state of Missouri. They are

22 likely to invest billions of dollars in the

23 company's service territory, create good paying jobs

24 in construction and information technology and

25 maintenance, diversify the state's economic

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   industrial base and bring in significant new

2   revenues that will help the company spread the fixed

3   costs of its system over a larger base.

4   However, Missouri will only realize those

5   benefits if the customers and the load actually show

6   up. And I thought Office of Public Counsel Witness,

7   Jeff Mark, put it well in his surrebuttal testimony.

8   He says (as read,) The benefits of data

9   center customers to the state and to local

10   communities have the potential to be quite large,

11   but this is predicated on the assumption that the

12   customer take service for long enough for those

13   benefits to be realized.

14   Which brings us to the main problem that

15   the Company is trying to solve here. The core

16   objective of the new large load power service tariff

17   is to mitigate the risk of stranded costs. And the

18   cost shifting to other customer classes that could

19   occur if large loads do not materialize as the

20   Company expects.

21   That's the objective motivating the

22   substantial new customer protections Evergy proposes

23   in this case, including long-term contract

24   commitments, minimum demand charges, termination

25   provisions and termination fees and financial

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   security provisions.

2   Now, rather than negotiating those

3   protections on a one-off basis with individual

4   customers, as has sometime occurred historically,

5   Evergy here proposes to move those protections into

6   a tariff recognizing that the company has a queue of

7   large loads requesting service.

8   Now, while DCC believes it is highly

9   likely that the large loads Evergy forecasts will,

10 in fact, materialize, DCC nevertheless supports

11 reasonable customer protections and supports the

12 creation of a tariff that reflects those

13 protections.

14   As this Commission is likely well aware,

15 while Evergy is certainly an early mover, regulators

16 across the country are considering utility proposals

17 to impose new requirements on large customers.

18 Those proposals generally aim to leverage the

19 opportunities that electric load growth will bring

20 while mitigating its risks.

21   DCC is active in many of those cases and

22 has routinely supported reasonable policies that

23 accommodate load growth in a thoughtful and

24 deliberate manner so as to mitigate the risk of

25 stranded costs.

1   That is why, as you see in the prefiled

2   testimony of DCC's witnesses, we do not object to

3   the customer protections Evergy proposes in concept

4   nor do we object to the proposal to create a tariff

5   that reflects those protections.

6   DCC's recommendations in their witness's

7   prefiled testimony are generally modest and aim to

8   ensuring that customer protections allow large

9   customers a reasonable level of flexibility such

10   that the company is able to attract a diverse set of

11   large loads.

12   That said, DCC does not support the

13   company's system support writer proposal as filed

14   however because that proposal was conceptually and

15   analytically flawed and doesn't do anything to

16   mitigate the risk of stranded costs.

17   This is a focus of DCC Witness Higgins'

18   prefiled rebuttal testimony, and I would note Staff

19   Witness Sarah Lange also criticizes the SSR proposal

20   in her testimony.

21   While I won't get into Mr. Higgins or Ms.

22   Lange's critique of the SSR proposal in depth,

23   there's a threshold issue that proposal has broken

24   because it would collect revenues from large load

25   customers without defining any specific costs to be

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1　recovered.

2　　　　　The premise of the SSR is also broken. If

3　focuses exclusively on the supposed acceleration of

4　generation costs to serve large customers but

5　ignores the acceleration of revenues that accompany

6　those costs and the obvious relationship between

7　revenues and costs that ultimately impacts customer

8　rates.

9　　　　　The Commission should reject the SSR, but

10　to be clear, that does not mean DCC encourages the

11　company or this Commission to ignore the potential

12　revenue and cost allocation impact if large loads do

13　materialize as the company anticipates.

14　　　　　We just don't think this is the right

15　venue. The logical venue to work out the allocation

16　of cost responsibilities, after a change in the

17　company's resource mix, is a general rate case.

18　　　　　The Commission should not address that

19　issue through an abstract acceleration charge that

20　does not reflect actual costs or actual retail load.

21　　　　　Now, since the time the DCC and other

22　parties filed testimony, we were able to reach, we

23　being DCC, was able to reach a settlement agreement

24　with many but not all of the parties to this case.

25　　　　　That settlement agreement represents --

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 resembles the comprehensive, unanimous settlement

2 that parties reached in Evergy's parallel case in

3 Kansas.

4   Now, while I will, of course, not get into

5 the substance of settlement negotiations, I can say

6 that a lot of hard work and difficult conversations

7 went into negotiating both a settlement in Kansas

8 and, ultimately, a settlement agreement here.

9   But, ultimately, DCC supported the

10 settlement agreement in Kansas and the one filed

11 here because we felt it strikes a balance.

12   It gives large load customers, including

13 DCC's members, a reasonable opportunity to do

14 business in the Company service territory, allows

15 customers modest flexibility but also guarantees

16 significant minimum revenues from large loads to

17 protect other customers, non-large load customers,

18 from cost shifting.

19   Importantly, the settlement proposal does

20 not include the system's support writer proposal,

21 which as I discussed, DCC does not support because

22 it is fundamentally flawed.

23   The sweet of customer protections that is

24 included in the proposed settlement is not identical

25 to the customer protections that other utilities in

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 other jurisdictions have adopted, which, of course,

2 is not surprising because every utility is

3 necessarily different.

4 However, those protections are reasonably

5 in line with where other utilities have landed when

6 trying to answer the same question that Evergy tries

7 to answer with its application here.

8 We, therefore, urge the Commission to

9 adopt the nonunanimous settlement as a reasonable

10 resolution of this case.

11 The last thing I'll address is Staff's

12 pressing proposal in this case. Now, while DCC

13 appreciates Staff's efforts to address large load

14 growth, in the company's service territory by

15 advancing a series of pricing proposals, those

16 proposals have multiple flaws and leave a lot of

17 questions unanswered.

18 We agree with counsel for Evergy and

19 Google where they describe Staff's proposal as

20 different from and significantly more complex than

21 anything we have seen in other jurisdictions

22 grappling with large load issues across the country.

23 And frankly, the speed of proposals is

24 simply unworkable for large load customers. DCC

25 Witness Higgins addresses the flaws in Staff's

888-893-3767
www.lexitaslegal.com   Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 proposal in detail in his surrebuttal testimony.

2 At its core, Staff's pricing proposal

3 boils down to a near 25 percent markup over Staff's

4 calculation of the sum, a variable and fixed costs

5 to serve large customers.

6 Now, putting aside some of the errors in

7 Staff's calculation, which DCC points out in its

8 testimony, Staff's 25 percent markup is essentially

9 an arbitrary premium.

10 The Commission should not accept Staff's

11 speed of proposals and instead should approve the

12 nonunanimous stipulation.

13 With that, Commissioners and Your Honor, I

14 will conclude by opening statement, and I look

15 forward to presenting DCC's case through its

16 witnesses at the appropriate time.

17 Those witnesses are Kevin Higgins, a

18 principal in the firm of Energy Strategies, LLC; and

19 Shanna Ramirez, a director at Energy and

20 Environmental Economics, also known as E3.

21 Thank you for your time this morning.

22 REGULATORY LAW JUDGE WALKER: We can have

23 an opening statement from Nucor Steel.

24 MR. ELLINGER: Thank you, Judge. Marc

25 Ellinger on behalf of Nucor Steel Sedalia, LLC.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   That's M-A-R-C, E-L-L-I-N-G-E-R.

2   Madam Chairman, members of the Commission,

3   Judge, Nucor stands here as a slightly different

4   party than everyone else to this matter.

5   We're not a utility. We're not a

6   governmental entity. We're not a public interest

7   group. We're not a data center. We're not a

8   coalition of data centers.

9   We're a private steel employer located in

10   Sedalia, Missouri. A major manufacturer with a

11   major employment base. We're also a major user of

12   electricity.

13   We really believe in economic growth and

14   development, and we think that the nonunanimous

15   stipulation that has been developed is one that

16   fosters that opportunity for economic growth and

17   development.

18   As you may know, Nucor currently takes

19   electricity under a special contract under Schedule

20   SIL of the tariff, and we support the stipulation.

21   And we really want to start by saying thank you very

22   much to all the parties, particularly Evergy and the

23   parties to the stipulation who reached out and did

24   have a negotiation over this to come to a

25   reasonable, fair and, ultimately, beneficial for the

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 state of Missouri determination of what a LLPS

2 tariff should look like.

3   I think the conclusion that we all came to

4 as a group of private parties, utilities, users and,

5 frankly, public interest groups is this is the best

6 interest of Missouri, it complies with what the

7 General Assembly set as a policy, and we think that

8 this Commission should adopt that, and we think that

9 the proposal that's made by Staff and by the Office

10 of Public Counsel kind of going along with it does

11 not serve those same economic development benefits.

12   Nucor has been a good employer in the

13 state of Missouri. It's an employer that has grown

14 and potentially in the future would like to grow

15 more. And the opportunities that are offered under

16 the proposed nonunanimous stipulation are

17 opportunities that we believe will foster that

18 growth and development in the future.

19   With that, I urge this Commission to adopt

20 the nonunanimous stipulation and agreement, and I'd

21 be happy to answer any questions.

22   REGULATORY LAW JUDGE WALKER: Are there

23 any Commission questions?

24   COMMISSIONER KOLKMEYER: Thank you, Judge.

25 Good morning, Mr. Ellinger.

1   MR. ELLINGER: Good morning, Commissioner

2   Kolkmeyer.

3   COMMISSIONER KOLKMEYER: Two questions.

4   MR. ELLINGER: Yes, sir.

5   COMMISSIONER KOLKMEYER: Does Nucor have

6   another plant smelter in Missouri, or is that just

7   across the line in Arkansas?

8   MR. ELLINGER: It's in Arkansas.

9   COMMISSIONER KOLKMEYER: And that is

10   served by Ameren?

11   MR. ELLINGER: I believe that's correct.

12   Although, I can't specifically say that.

13   COMMISSIONER KOLKMEYER: Okay. So the one

14   in Sedalia is --

15   MR. ELLINGER: -- served by Evergy.

16   COMMISSIONER KOLKMEYER: -- Evergy, okay.

17   What is the usage at Sedalia?

18   MR. ELLINGER: That's --

19   COMMISSIONER KOLKMEYER: Or is that

20   confidential?

21   MR. ELLINGER: That's a highly

22   confidential matter, but it's significant usage.

23   COMMISSIONER KOLKMEYER: And you would

24   fall -- you would or would not fall under these

25   rates?

1   MR. ELLINGER: Depending upon where that

2   rate target was set --

3   COMMISSIONER KOLKMEYER: The threshold?

4   MR. ELLINGER: The threshold.

5   COMMISSIONER KOLKMEYER: Yeah.

6   MR. ELLINGER: -- future development could

7   definitely fall into that rate.

8   COMMISSIONER KOLKMEYER: Okay.

9   MR. ELLINGER: And depending on whether it

10   was applied retroactively or whether -- you know, we

11   believe that the SIL Tariff should continue to

12   maintain, and we would take service under the SIL

13   Tariff. It wouldn't change the existing operations.

14   COMMISSIONER KOLKMEYER: Okay. Are you

15   going to come back up and testify for Velvet or --

16   MR. ELLINGER: No, I'm not.

17   COMMISSIONER KOLKMEYER: Okay. Is your

18   company -- your firm?

19   MR. ELLINGER: Our -- my partner,

20   Stephanie Bell, and our firm does represent Velvet

21   separate from --

22   COMMISSIONER KOLKMEYER: Are they going to

23   testify?

24   MR. ELLINGER: Testify or make an opening

25   statement?

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   COMMISSIONER KOLKMEYER: Yes, make an

 2   opening statement.

 3   MR. ELLINGER: I believe she is planning

 4   on making an opening statement, yes --

 5   COMMISSIONER KOLKMEYER: Okay. I'll save

 6   a questions for her.

 7   MR. ELLINGER: Okay. Thank you very much.

 8   COMMISSIONER KOLKMEYER: Thank you.

 9   REGULATORY LAW JUDGE WALKER: Thank you,

10   Commissioner Kolkmeyer. Are there any other

11   Commission questions?

12   MR. ELLINGER: Thank you.

13   REGULATORY LAW JUDGE WALKER: Thank you,

14   again. Velvet Tech?

15   MS. BELL: Thank you, Your Honor.

16   Stephanie Bell, that's S-T-E-P-H-A-N-I-E, BELL,

17   B-E-L-L. May it please the Commission, Stephanie

18   Bell for Velvet Tech Services, which is wholly owned

19   by Meta.

20   As you know, Velvet his Evergy's first

21   hyper-scale data center customer, and the Kansas

22   City data center is now operational.

23   The data center represents an investment

24   of over one billion in the state of Missouri, with a

25   majority of construction materials sourced right

1 here in the U.S.

2   The construction of the data center

3 resulted in an average of 1,500 skilled trade

4 workers on site at its peak. In addition, Meta has

5 proudly directed more than one million to schools

6 and nonprofits spanning Clay County, Platte County

7 and Kansas City, Missouri.

8   In the words of Brad Davis, data center

9 community and economic development director at Meta

10 in 2022: We selected Kansas City because it offered

11 excellent infrastructure, a robust electrical grid,

12 a strong pool of talent for construction and

13 operations jobs and incredible community partners.

14 We are extremely proud to be part of this community,

15 and we look forward to continuing to strengthen our

16 partnership for years to come.

17   As you know, Velvet is a signatory to and

18 supports the nonunanimous global stipulation and

19 agreement. This stipulation represents lengthy

20 negotiations among diverse stakeholders, utilities,

21 large industrial customers, data center operators,

22 environmental advocates. The result is a balanced

23 framework that serves multiple critical public

24 interests.

25   First, the stipulation addresses

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Missouri's economic competitiveness. The LLPS

2   tariff creates a structured pathway for large load

3   customers to locate and expand in Missouri.

4   The 75 megawatt threshold appropriately

5   captures customers whose load characteristics

6   require specialized rate treatment while maintaining

7   protections for existing customers and traditional

8   rate payers.

9   Second, this stipulation includes robust

10 customer protections. The comprehensive collateral

11 requirements protect existing rate payers from

12 financial risk. Credit based discounts reward

13 credit-worthy customers while maintaining security.

14 The framework also ensures large customers cover

15 their cost of service and prevents subsidization by

16 other customer classes.

17   Third, the stipulation aligns with many

18 customer's clean energy goals. The renewable energy

19 writers provide flexibility for large customers to

20 support renewable development and meet corporate

21 sustainability requirements.

22   Fourth, the settlement protects against

23 stranded costs through carefully crafted exit

24 provisions. The minimum term coupled with

25 substantial exit fees ensures longterm commitments

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   while providing utilities reasonable cost recovery

2   certainty.

3   Finally, this framework includes

4   meaningful oversight mechanisms. Annual reporting

5   requirements as well as stakeholder meetings ensure

6   transparency and accountability as this new rate

7   class develops.

8   For Velvet, specifically, this tariff

9   provides the regulatory certainty needed for

10   long-term infrastructure investments while ensuring

11   we pay our fair share of system costs. The

12   alternative to this settlement is continued

13   uncertainty, delayed investment and missed economic

14   developed opportunities.

15   This stipulation strikes the right balance

16   protecting existing customers, enabling economic

17   growth and providing regulatory certainty. We

18   respectfully request the Commission to approve the

19   stipulation recognizing that's interdependent

20   provisions represent a carefully negotiated

21   compromise that best serves the public interests.

22   Thank you. Commissioner Kolkmeyer?

23   COMMISSIONER KOLKMEYER: Yes, you were

24   kind of forewarned, weren't you?

25   MS. BELL: I was.

1   COMMISSIONER KOLKMEYER: Yes, are you at

2   liberty to tell the consumption, energy consumption,

3   of your current data center?

4   MS. BELL: I'm not.

5   COMMISSIONER KOLKMEYER: Okay.

6   MS. BELL: But as you'll recognize in

7   the -- in the -- on the issue list and as part of

8   the stipulation, Velvet's current operation for

9   folks who've signed their ESA by the time this

10   tariff is approved, they're, essentially,

11   grandfathered.

12   And so the deal that Meta reached on --

13   for the facility that was already built, it is,

14   essentially, grandfathered.

15   However, as you know, there's a lot of

16   data center growth. So to the extent that Meta was

17   to expand above that 75-megawatt threshold, we would

18   be under the new LLPS tariff.

19   COMMISSIONER KOLKMEYER: That was my next

20   question.

21   MS. BELL: Yes.

22   COMMISSIONER KOLKMEYER: I have one more.

23   MS. BELL: Okay.

24   COMMISSIONER KOLKMEYER: How much water do

25   you use?

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   MS. BELL: So that's a really interesting

 2   question, and certainly in OPC's testimony, they

 3   raised some concerns about different reporting that

 4   they would like to see.

 5   And I would urge you -- so Meta produces

 6   multiple reports every year. They are really in

 7   depth.

 8   There's two reports that I direct you to.

 9   There's a sustainability report and a data index.

10   And those are published on their website annually,

11   and they report things like water usage, like many

12   of the issues that OPC addressed in its testimony

13   publicly.

14   And in fact, in certain circumstances,

15   they are broken down by each facility. So while the

16   Kansas City facility is new, you start to see some

17   of that reporting on the most recent public reports

18   broken down by -- and you'll see Kansas City

19   included.

20   COMMISSIONER KOLKMEYER: I do have one

21   more. Can you expand the counties into Lafayette

22   for taxes?

23   MS. BELL: Okay. I'll make that

24   suggestion.

25   COMMISSIONER KOLKMEYER: Okay, thank you.

1   My schools could use it.

2   MS. BELL: All right. Thank you,

3   Commissioner.

4   COMMISSIONER KOLKMEYER: Thank you.

5   REGULATORY LAW JUDGE WALKER: Is there

6   anyone from Sierra Club online?

7   MS. RUBENSTEIN: Yes, good morning. This

8   is Sarah Rubinstein --

9   THE REGULATORY LAW JUDGE WALKER: Thank

10 you.

11   MS. RUBENSTEIN: -- for Sierra Club.

12   REGULATORY LAW JUDGE WALKER: Ms.

13 Rubenstein, can you state and spell your name for

14 the court reporter, please?

15   MS. RUBENSTEIN: Certainly. Sarah --

16 S-A-R-A-H, Rubinstein, R-U-B-E-N-S-T-E-I-N. Good

17 morning, Commissioners and Judge Walker. My name is

18 Sarah Rubinstein. May it please the Commission. I

19 represent Sierra Club in this matter.

20   Large load growth, particularly from data

21 centers, is the primary issue of this proceeding but

22 also of utility regulation nationwide.

23   The historic increase in load growth has

24 the potential to shape rate payer bills for decades

25 to come. Sierra Club believes that the nonunanimous

1 stipulation filed before this Commission fairly

2 resolve the issues in this docket among the

3 disparate interests of the parties for three

4 reasons.

5   First, any adopted tariff must ensure that

6 large load customers do not encumber other customer

7 classes with incremental costs or risks and also

8 ensure that these customers pay their fair share of

9 the costs incurred to serve them. Simply put, large

10 load customers must pay the costs that they are

11 causing on the electric system.

12   Sierra Club believes that the settlement

13 adequately insulates Evergy from stranded asset risk

14 and provides a framework for large load customers to

15 mitigate the costs that they cause on Evergy's

16 system.

17   Second, Evergy must provide a path for

18 large load customers to procure the clean energy

19 that they demand. Many large load customers have

20 climate goals and want to locate in states where

21 they can procure clean energy.

22   The settlement provides a means by which

23 these customers can procure clean energy to meet

24 their goals while also benefiting all of Evergy's

25 customers at no direct cost to non-large load

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 customers. This will help stabilize if not drive

2 down costs through diversification of generation.

3   Third, the nonunanimous settlement is very

4 similar to the unanimous settlement filed before the

5 Kansas Corporation Commission. Having similar rules

6 between the two jurisdictions provides for a level

7 playing field between the states as they compete for

8 economic development opportunities and also helps to

9 ensure that rate payers in both states do not

10 experience wildly different treatment.

11   For these reasons, Sierra Club

12 respectfully requests that the Commission approve

13 the nonunanimous settlement struck between and among

14 most of the parties in this docket. Thank you for

15 your time.

16   REGULATORY LAW JUDGE WALKER: Are there

17 any Commission questions? Okay, hearing none, thank

18 you very much.

19   MS. RUBENSTEIN: Thank you.

20   REGULATORY LAW JUDGE WALKER: We will now

21 hear from Renew Missouri.

22   MS. MERS: Good morning, and if it can

23 please the Commission, this is Nicole Mers, and that

24 is N-I-C-O-L-E, M-E-R-S on behalf of Renew. I'm

25 going to be very brief because it is almost 11, and

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 we've been sitting here for a while. So we've got a

2 lot of witnesses.

3   We provided some limited testimony in this

4 case about the renewable writers. In approaching

5 this case, Renew's framework for evaluating it was

6 being mindful and the efforts that have been taking

7 place in the legislator and with the governor's

8 office to encourage economic development.

9   It appears that policy makers have decided

10 their attracting these customers is in the interest

11 of the state of Missouri. So then what happens

12 next?

13   Well, as a signatory to the stipulation,

14 we believe that that stipulation provides a

15 framework that provides a tariff and rate structure

16 that will both attract the large load customers but

17 ensure that they will provide additional

18 contributions to the revenue requirements, which is

19 better than the status would be currently.

20   In addition, the writers that Renew

21 Missouri had supported our all contained in the

22 stipulation. There was a bit of an expansion,

23 actually, to allow nonutility scale (indiscernible)

24 to be allowed. So we were very excited to see that.

25   And we believe that those writers will

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 also help attract these customers to the state. You

2 heard the customers themselves mention it several

3 times. So we believe that that's important.

4   And we believe that the benefits of that

5 renewable generation, having those writers, will

6 help bring those to the state and to the customer

7 base.

8   So with that, I'll just conclude my

9 remarks, but if you have any questions, I'll try to

10 answer them.

11   REGULATORY LAW JUDGE WALKER: Any

12 Commission questions? Okay, thank you very much.

13   MS. MERS: Thanks.

14   REGULATORY LAW JUDGE WALKER: The Office

15 of Public Counsel?

16   MR. CLIZER: Brian, when you're ready.

17   TECH SUPPORT: There we go. Super. Now,

18 speak into the mic.

19   MR. CLIZER: Good morning. I'm pretty

20 sure you all know who I am, but for the record, John

21 Clizer on behalf of the Missouri Office of the

22 Public Counsel, and my name is J-O-H-N, C-L-I-Z-E-R.

23   So I want to start off by saying,

24 honestly, Commission, I don't envy your position

25 here. This is quite possibly one of the most

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 important cases that you're going to hear. It's one

2 of the most important cases that probably has come

3 before this Commission in a very long while.

4   And that has to do with the size and scale

5 of the investments that we're talking about that are

6 going to be involved in serving the amount of load

7 coming on, and we're going to get to that in just a

8 second.

9   But I really want the Commission to

10 consider just how impactful this case could be on

11 Missouri, on regulation, on everything that we're

12 doing, and specifically Missouri rate payers.

13   And also consider that, you know, we're

14 dealing with this in a very rapidly evolving

15 environment.

16   We have news coming out just about every

17 day on changes to how AI and data centers are being

18 used and handled. And it really does beg the

19 question of whether or not we should be slowing down

20 to think about this a little bit.

21   Now, fortunately, the good news is that

22 this Commission has plenty of opportunities to think

23 about. I believe Mr. Lowery, on behalf of Ameren,

24 for example, pointed out that the Commission is

25 about to hear pretty much the same case in about a

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 month's time, and that they should be waiting to

2 hear the case then before making a decision here.

3   And I, actually, echo that opinion. I

4 think the Commission should really consider hearing

5 both this case and Ameren before rendering a

6 decision in either case.

7   Another opportunity is that we could

8 potentially move towards a workshop, for example.

9 That was an issue that was brought up by the

10 Commission Staff, and frankly, it's one that merits

11 some consideration. Maybe it would be a better idea

12 in lieu of trying to do this in two cases to pump

13 the brakes, go to a workshop and think it all

14 through. But, again, we are here. So let's go

15 through this and kind of talk about it.

16   With that in mind, the one thing I would

17 ask is just the Commission maintain a healthy degree

18 of skepticism and really consider all of the impacts

19 here.

20   So I mentioned a moment ago about the size

21 of the impact, and I really want to focus on that

22 for a second. This picture in front of you, this

23 was taken from the Evergy annual five-year capital

24 plan that was filed in March of '25. This is a

25 public version.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   And it's showing what Evergy projects, in

2   terms of a demand capacity, coming online. The

3   gray -- the gray bar that you can see on the right

4   there is their current demand, and it's about 10.6

5   gigawatts. That means that all the residential, all

6   the commercial, all the industrial customers Evergy

7   has right now our demanding about 10.6 gigawatts.

8   The bar on the left is whatever Evergy is

9   anticipating might come online in five years. And

10   the first thing to note about that is the bar on the

11   left is actually larger than the bar on the right.

12   What that -- please, go ahead.

13   COMMISSIONER KOLKMEYER: Can I ask a

14   question midstream?

15   MR. CLIZER: Absolutely.

16   COMMISSIONER KOLKMEYER: Is that all of

17   Evergy or is that in Missouri?

18   MR. CLIZER: That is all of Evergy, yes.

19   COMMISSIONER KOLKMEYER: Okay.

20   MR. CLIZER: And I -- I don't know why

21   that back forward. That's just a product of how

22   Evergy presented it.

23   COMMISSIONER KOLKMEYER: Okay.

24   MR. CLIZER: Not by choice.

25   COMMISSIONER KOLKMEYER: Okay.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   MR. CLIZER: But the point here is that

2   we're talking about, quite literally, doubling the

3   size of the utility over a five-year period, and

4   you'll note that even if you cut out the balance of

5   pipeline at the end, the six gigawatts in various

6   stages, preliminary discussion, the remaining

7   balance is still nearly 50 percent of the Company's

8   existing demand.

9   So no matter how you slice it, this is

10   enormous. I mean, you are really, really changing

11   the scope and field of how we operate here.

12   And the one thing I want to bring up, so a

13   large amount of this is being driven by data

14   centers. That's the, kind of, word of the day,

15   right?

16   And it's -- what's kind of weird going

17   through and listening to all these opening arguments

18   is that you're not hearing a whole lot about the

19   risks associated with data centers.

20   We all seem to just be all assuming that

21   these data centers are going to come online, they're

22   going to stay online, they're going to make money

23   and everything will be hunky-dory.

24   And I kind of think that's a bit

25   concerning, and I'll get to why in just a second.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Before -- let me give you what I think are the two

2   arguments for why we should like data centers,

3   right? And they've sort of been touched on by prior

4   people.

5   They are, first, adding data centers will

6   spread fixed costs and, thus, lower rates for

7   non-data center customers. You heard this also sort

8   of referenced as additional revenue, rate

9   stabilization. They're all sort of wrapped into the

10   same concept.

11   And then the other one, which we've

12   definitely heard several people mention, are the

13   economic developments, creating jobs, tax revenues,

14   et cetera. And I want to take just a few moment to

15   touch on both of those because there's a little bit

16   of a myth, I think, surrounding both that needs to

17   be addressed.

18   And the first comes with this idea that,

19   you know, data centers are automatically going to

20   lower rates for everybody. That's not necessarily

21   true, and the reason it's not true is because fixed

22   costs may not benefit customers if there's also an

23   increase to fixed costs.

24   Let me give you an analogy to really

25   explain exactly what I mean. I want you to think of

1   three guys renting a house together, right? And

2   their landlord charges them $3,000. So each one of

3   those three guys is paying a thousand dollars in

4   rent a month.

5   A fourth guy comes on, and he says, I'd

6   like to join you. Now, they're splitting the rent

7   four ways, and each one is paying 750. That's an

8   example of how you can lower the cost for everybody

9   by spreading them out.

10   But what happens if that fourth guy comes

11 on, and he can't move into the house because there's

12 not enough space? He has a whole bunch of

13 knickknacks and stuff that he needs to get

14 somewhere, and they just don't have the space there.

15   The landlord comes back and says, well,

16 what if I build you a new house, brand-new, and I'll

17 charge all four of you the rent for those two

18 houses.

19   In that case, now the whole group is

20 paying 6,000 in rent between the two houses, but

21 they still split it up four ways. But each person

22 is now paying $1,500 in rent.

23   You see, what's happened here is even

24 though you've spread out to the costs, you also

25 increase the cost because you had to build more.

1 And that's the situation in front of us right now.

2   Bring on data centers is going to spread

3 out the fixed costs for all customers, but the

4 companies don't have the generation needed to serve

5 those data centers.

6   So they're going to have to build more and

7 thereby increase the existing fixed costs in order

8 to provide service. And it's a very real

9 possibility that increasing those fixed costs might

10 mean that everybody, everybody's rates go up even as

11 you're spreading them out.

12   And then you can double down on that. We

13 know that it's getting more expensive to build

14 generation right now. In a recent case, which

15 Evergy sought a CCN for additional build, we had

16 already seen prices rising as high as 60 percent

17 against what they had been in the past.

18   We have tariffs, we have inflation, we

19 have all kinds of things driving up the prices. So

20 if we had to build even more generation to serve

21 this new load coming on, again, the risk that rates

22 for everyone will rise increases.

23   And then you add onto that the fact that

24 we're in a constrained energy market, and you see,

25 again, prices are set to rise as more people tug on

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   the demand, as more people need more energy, the

2   cost for everyone is going to go up.

3   So this idea that data centers are just

4   bar none going to lower rates for customers, it's

5   not as clearcut as you'd think.

6   Now, let's consider job growth because

7   that's something we've definitely heard a lot of,

8   and it's very true that data center build is going

9   to create a lot of temporary jobs. There's no doubt

10   about that.

11   But they create much fewer permanent jobs

12   than anybody here would like to admit. And I think

13   the best way to see that is to look at the testimony

14   of Dr. Mark, who compared, for example, the

15   875-acre, $500 billion Stargate project that's being

16   built by Open AI in Texas, which is expected to

17   create 57 full-time jobs, just 57, with an annual

18   wage of 57,000 and a net salary gain of about three

19   million.

20   He compared that to the average Sam's

21   Club, which is employing about 167 associates

22   admittedly at a lower salary but actively actually

23   generating a much higher net salary gain.

24   So this idea that these data centers are

25   going to be this engine of job growth and economic

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   development, it doesn't actually stand true. And

2   that's before you start to consider the other

3   problems that might be out there.

4   For example, there's already a lack of

5   transparency surrounding the impact of data centers.

6   We're not entirely sure the impact they're going to

7   have on water tables.

8   And as we'll discuss later, there's

9   already a concern regarding the --

10   [Reporter's note: Audio recording failed.]

11   That risk of subsidization, that is this

12   case. Of all the issues that have been brought

13   forth, the biggest one, the most important one is

14   really just, are we allowing non-data center,

15   non-LLPS customers to subsidize data centers. And

16   I'll explain why I believe that the stipulation

17   agreement does do that.

18   And then, finally, of course, there's the

19   much talked about risk of stranded investments. And

20   on that note, I'm going to come back to the slide

21   just to point out the amount of generation that

22   we're going to have to build to serve that load is

23   going to be enormous.

24   Again, you're talking about nearly

25   doubling the size of the utility. And that gray

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   bar, that's been built up over however long Evergy's

2   been in service. The bar on the left, we're talking

3   about five years. Think about bringing on as much

4   generation as we have now in just five-year time.

5   That's the issue that they are creating in front of

6   this.

7   I also want to be clear, it's not just the

8   OPC raising these concerns, right. It's not just

9   John up here spitting from the cuff. The problems

10 that we've identified are showing up across the

11 news.

12   For example, a Wall Street Journal article

13 talking about job creation pointed out how John

14 Johnson, the chief executive officer of Patmos

15 Hosting, admitted that data centers have rightly

16 earned a dismal reputation of creating the lowest

17 number of jobs per square foot in their facilities.

18   Patmos Hosting, by the way, is currently

19 building a data center in Kansas City, Missouri.

20   Another Wall Street Article talks about

21 how Chief Executive Jim Farley, that's

22 (indiscernible), said that artificial intelligence

23 is going to replace nearly half of all white collar

24 workers in the U.S.

25   So in addition to all the job creation

1 we're talking about, there's a real risk that this

2 could actually result in significant job loss.

3   Another article from the Harvard Business

4 Review talks about how investors are making a

5 critical error around AI. They're treating AI

6 companies like high-growth asset-light software

7 firms. When in reality, their capital intense, high

8 cost and infrastructure heavy.

9   AI-heavy tech stocks have traded a 20 to

10 40 percent premium assuming future profits that

11 haven't materialized.

12   In Bain & Company's sixth annual Global

13 Technology Report, they've pointed out that even if

14 U.S. companies shifted all of their on-premise I.T.

15 budgets to Cloud and reinvest the savings from

16 applying AI to sales, marketing, customer support

17 and R&D at the capital spending on new data centers,

18 the amount would still fall short of the revenue

19 needed to fund the full investment as AI's compute

20 demand grows at more than twice the rate of Moore's

21 law.

22   We also, again, have concerns regarding

23 the environmental impacts. This article from BBC

24 describes one customer who said they can't drink the

25 water after living next to a data center.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   And as Mister, I'm sorry, Commissioner

2   Kolkmeyer identified, data centers are water

3   intensive units using millions of gallons a day,

4   which can have dramatic impact.

5   And the result of all of this is that

6   we're seeing significant pushback across the U.S.

7   and in Missouri. St. Charles County, for example,

8   issued a ban on zoning for data centers. A similar

9   ban has been proposed or is in place in Peculiar,

10   Missouri.

11   So across the state in a variety of

12   different locations, you're starting to see citizens

13   come out against building these data centers.

14   And all of that really doesn't begin to

15   touch on what I consider the biggest problem, which

16   is this concept of can these things actually last.

17   And this -- again, this is the point that

18   nobody here seems to be addressing. An MIT report

19   in July of 2025 talked about how 95 percent of these

20   organizations building or creating AI, they weren't

21   getting any return.

22   And then just five percent of integrated

23   AI pilots were extracting millions in profits.

24   Okay, good, Brian. Thanks.

25   Another article in the Wall Street Journal

1   talked about how Nvidia had dropped $100 billion to

2   support Open AI, even though it has struggled to

3   chart a path to profitability and was set to lose

4   44 billion through 2029. And that was before

5   engaging in several pricing commitments.

6   The Wall Street Journal just last -- just

7   this week, I'm sorry, last week had an article about

8   whether AI could ever pay off.

9   And I want to quote this, the money

10 invested in AI infrastructure in 2023 and 2024 alone

11 requires consumers and companies to buy roughly

12 800 billion in AI products over the life of these

13 chips and data centers to produce a good investment

14 return. And that's considering that the chips have

15 a three- to five-year investment.

16   The wave of a AI infrastructure spending

17 will require $2 trillion in annual AI revenue by

18 2030, and that is more than the combined 2024

19 revenue of Amazon, Apple, Alphabet, Microsoft, Meta

20 and Nvidia and more than five times the entire

21 global subscription software market.

22   And finally, you're starting to see

23 multiple reports by major figureheads in this

24 industry saying that we are in a bubble.

25   In this case, it's Sam Aldman, the CEO of

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Open AI, who compared the existing AI marketplace to

2 the dot-com bubble of the 1990s into early 2000s.

3 And you can see at the bottom there, he's joined by

4 many other industry experts.

5   So why am I bringing all of this up?

6 Well, again, what's been missing from the

7 conversation up to this point is that everybody

8 seems to just be assuming that these data centers

9 we're building right now are going to be around

10 forever and that they're going to make tons of

11 profit.

12   But the reality is that there is no

13 guarantee that the generation we build now is going

14 to last as long as the data centers are. And,

15 again, given their extreme power usage and the sheer

16 amount of power they require, that gives us a

17 massive risk for stranded investments.

18   Also, as I said, the data centers are not

19 guaranteed job creators. So all of that put

20 together says there is a very real risk the data

21 center boom might do more harm than good to Missouri

22 rate payers.

23   And you'll note, I stressed to the word

24 might. My goal is not to tell you that this is

25 going to be a disaster. My goal is to point out the

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 risks. There is absolutely a world where this all

2 works wonderfully, where we cure cancer,

3 (indiscernible) fusion and are all living on

4 guaranteed income.

5   But there's a risk that it doesn't. And

6 really brings us to the point. I want to ask, does

7 the OPC -- are we just opposed to data centers? Are

8 we just anti data center?

9   And the answer is an emphatic no. Despite

10 everything I've said up to this point, we are okay

11 with data centers coming to Missouri. We are happy.

12 We are welcoming to them.

13   But like I said, we are cognizant of the

14 risk. And what we are asking for is simply that

15 there are protections in place for existing

16 customers. And more specifically, stronger

17 protections, more realistic and better protections

18 than what are currently being offered in the

19 nonunanimous stipulation.

20   And, again, if you consider the risks that

21 I have pointed out, you consider all of the issues,

22 there is a good reason why the Commission should

23 look on this and say, we need to err on the side of

24 caution and have more protections than fewer.

25   Now, really quick, I just want to say what

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   I would ask this Commission to not do. Because

2   there's a couple of things that I really want to

3   make sure are not going to be the case.

4   The first is I don't want this Commission

5   to just ignore the question of financial viability

6   for data centers. And to point that out, I will

7   tell you that in the past, we've had cases, for

8   example, the Noranda -- I'm sorry -- yes, Noranda

9   where this Commission had to make a determination on

10   the financial viability of an industry because they

11   were getting a special rate treatment.

12   And in that case, the Commission heard

13   from the economists, from bankers, from investment

14   firms, to metallurgists. They took in a huge amount

15   of information to make a decision, is this a

16   business that's going to last long enough to justify

17   the investment and should they get a special rate as

18   a result.

19   And I'm asking the Commission to do the

20   same here. Take a careful look at the actual

21   industry and determine whether or not there are more

22   risks involved.

23   I also would ask this Commission not treat

24   this as just another tariff. There's definitely

25   been some discussion by other parties that say,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   well, it's just a tariff. We'll fix it in the

2   future in a rate case.

3   That's not a good idea here. Companies

4   are making half-dependent decisions now. This is a

5   major, major case, one that could define your

6   legacy, and you should be treating it as such.

7   And finally, we'd ask that you simply not

8   rush into this decision. As I mentioned earlier,

9   there is time. Staff pointed out how you have time.

10 And staff's recommendation about opening up a

11 workshop is a sound one, in my opinion.

12   Use this opportunity, use the time that

13 you have to really think this through carefully, to

14 solicit additional feedback and to involve

15 yourselves in that discussion to try and reach the

16 best possible answer.

17   All right, I've talked a lot about what

18 the Commission shouldn't do. I've talked about the

19 risks involved. Let me get really quick to what the

20 OPC is asking of the Commission.

21   What should the Commission do? Well, the

22 first thing, of course, is that we would ask you to

23 follow the legislative guidance. And I won't spend

24 much time here because you already heard it

25 mentioned by multiple other parties.

1   Section 393.130.7 includes the provision

2   for electrical corporations to put forward schedules

3   that should reasonably ensure such customers, and

4   here we're talking about customers with 100

5   megawatt.

6   Rates will reflect the customer's

7   representative share of the costs incurred to serve

8   the customers and prevent other customer class rates

9   from reflecting any unjust or unreasonable costs

10   arising from service to such customers.

11   Really, (indiscernible,) what does it

12   actually mean? Prevent subsidies. Now, that's my

13   interpretation. Obviously, other clients will have

14   a different one. But I think you can summarize this

15   really simple as just, don't let non-large load

16   customers subsidize large load customers.

17   That's truly the heart, again, of this

18   case in my opinion. The OPC's solution for

19   achieving this, I have broken it down into what I

20   consider to be eight poor requests.

21   There are other aspects kind of filtered

22   through the position statements and elsewhere, but

23   these are the ones I want to focus on because they

24   are the ones I consider the most important,

25   generally.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   And I'm going to walk through each of

2   these. I'll only spend a slide or two on them. It

3   should go relatively quick.

4   The first, we're asking to modify

5   accessibility requirements, and what that just means

6   is who can take or who has to take under this

7   service.

8   We have five parts. The first is to

9   increase the term of service to 20 years with a

10   five-year disconnection notice. Why am I asking for

11   this? Again, these industries that are coming

12   online, these customers are so big they can justify

13   their own generation. And the generation that we're

14   going to build to serve these customers might last

15   30 to 60 years.

16   If you're going to build generation to

17   serve one customer, and that generation lasts 30 to

18   60 years, doesn't it make sense for you to have them

19   commit to at least nearly as long?

20   And, again, to be clear, the OPC isn't

21   asking for the full commitment. We're good with 20.

22   And to compare that to what's in the stipulation, I

23   believe the stipulation's at 12 years. So we're

24   talking about an eight-year difference. It's not

25   like we're way off here.

1   The next is for a minimum build to cover

2   90 percent of contract capacity. Again, if you're

3   building generation to serve almost one customer,

4   you want to make sure that the money is there to pay

5   for that generation from that one customer.

6   And, again, we're fairly close to what the

7   stipulation signed by the other party's was. In

8   that case, I believe it was 80. I could be wrong.

9   In some ways, I'm sure I'll be corrected. We're

10   asking for 90.

11   We are asking for no waiver from the

12   collateral requirement. This basically just comes

13   back to the idea that if one of these customers goes

14   bankrupt, goes out of business, decides to leave the

15   state, we want to make sure the money is there to

16   pay the exit fee.

17   We're afraid of somebody, maybe like

18   Google, deciding to walk away and then saying, hey,

19   it might be in our best interest just to fight this

20   in court or a smaller data center or smaller

21   industry might end up going bankrupt. In which

22   case, if they don't have the collateral, customers

23   will be left holding the bag.

24   So we are asking for no waiver. We're

25   asking to decrease the applicable size to

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   25-megawatt capacity. This is in line with Staff's

2   recommendation. And it's really just there to make

3   sure that we capture all the available customers.

4   And then, finally, we want the tracking of

5   the termination fees in order to offset plan.

6   Again, this is fairly straightforward. If a

7   customer leaves, and they pay a termination fee but

8   that termination fee is outside of a rate case, it

9   won't be reflected in rates. It'll just be profit

10   to the company.

11   So in order to prevent that, you have to

12   track the termination fee. And I want to point out,

13   that's actually a component of the stipulation. So

14   on that point, we're aligned. We just -- I just

15   wanted to put that out there separately incase the

16   Commission did their own thing. Make sure you track

17   the termination fees.

18   And I want to put out there also, none of

19   these recommendations are out there. In fact, all

20   of these recommendations come from various other

21   states. We just pulled from other states and said,

22   look, these are what other states have already

23   agreed to. We think that they are what should apply

24   here in Missouri. And if you want more information

25   or deets on that, I encourage you to ask questions

1 of Dr. Mark. He's the one who sort of developed

2 this.

3   All right, the next one is the FAC. And I

4 want to be really clear here. If LLPS customers,

5 the customers on this tariff, are included in

6 Evergy's existing FAC, you will be creating a

7 subsidy. And I'm going to walk through exactly how

8 that works because it's important.

9   If you assume the LLPS customer comes

10 online after base rates are set in a rate case,

11 which includes purchase power -- well, let's back up

12 even further.

13   In a rate case, we set the base fuel and

14 purchase power cost the company is going to assume.

15 That includes all the energy that they're going to

16 buy from the RTL market.

17   So if there isn't an LLPS customer on a

18 system yet, they won't be included in that. If they

19 come on after the rates are set, then Evergy has to

20 increase the amount it's buying off the market to

21 serve just that customer.

22   And because all the purchase power costs

23 flow through the FAC, it means that all the money

24 they spent buying energy for that one customer will

25 flow through the FAC and be recovered by all

 1   customers.

 2   So, again, this is exactly what's going to

 3   happen, if you include them in the existing FAC,

 4   they will be subsidizing or rather, nonLLPS

 5   customers will be subsidizing LLPS customers.

 6   And this also will continue, by the way,

 7   even in the base rates once you come in for a rate

 8   case because at that point, the purchase power will

 9   just be flown into the base rates.

10   The OPC has a very simple, easy solution

11   to this. Just split the FAC. Have one FAC for

12   nonLLPS customers and have a second FAC for LLPS

13   customers.

14   The brilliance of this is that nobody is

15   worse off, right. The company is made whole in both

16   cases. They both get their fuel and purchase power

17   costs.

18   NonLLPS customers don't have to be worried

19   about subsidizing LLPS; LLPS doesn't have to worry

20   about their revenue being used to subsidize nonLLPS.

21   If you just segregate them and keep them separate,

22   the problem is solved. An easy solution.

23   The next one I want to talk about is the

24   tracking of revenues. And we've already heard from

25   multiple people talk about positive regulatory lag.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   You've already heard this regulatory lag being

 2   thrown around a lot. That's a mistake.

 3   The problem here is not just regulatory

 4   lag. It's that you are, again, creating a subsidy.

 5   And, again, here's how this happens if Evergy

 6   expects a large customer to come online, they're

 7   going to build a generation to serve that customer,

 8   right, because they have to have the generation to

 9   serve.

10   If you put the generation in rates before

11   the LLPS customers come online, and then you come in

12   for a rate case, all of your other customers have to

13   pay for that generation because it is in a plan.

14   I'll say it again slowly, if you built a

15   generation in anticipation of a large customer

16   coming online and then have a rate case, all of your

17   customers are paying for that generation.

18   If the large customer then comes on after

19   the rate case, those revenues are not so

20   indiscernible). So they just go straight into the

21   company's pocket.

22   What you should do is track the revenues

23   so that in the future, you can give the money back

24   to the nonLLPS customers in the form of a reduction

25   to the plan.

1   Effectively, you're going to treat it like

2   a loan from the nonLLPS customers to the LLPS

3   customers. If you don't do that, you have created a

4   subsidy because now, the nonLLPS customers are

5   paying for the plan, the revenue generated from the

6   LLPS customer is going straight into the company's

7   pocket. That's it.

8   Again, simple solution to this problem,

9   order the revenues tracked. And this does not harm

10   the large, large power customers at all because

11   you're not changing what they pay. You're just

12   tracking it from Evergy's perspective. So it's zero

13   harm, no impact on them whatsoever.

14   We are asking for no application of the

15   economic development writer. For those of you who

16   aren't aware, the economic development writer is a

17   straight subsidy. It's a subsidy by design. It

18   says, basically, for a large customer, we're going

19   to reduce the amount you have to pay and everybody

20   else has to make it up. We don't think that large

21   customers, or rather these type of customers should

22   be able to use the economic development writer

23   because you have that statute that literally says,

24   don't allow subsidies.

25   And the economic development writer itself

 1   says, hey, you can put in alternative terms and

 2   conditions. So it, itself, anticipates you don't

 3   have to apply this in every case.

 4   And we don't apply this in every case.

 5   Evergy's existing MKT and SIL Tariffs already say,

 6   you can't use the economic development writer.

 7   So this is something that we've already

 8   done for other large customers.

 9   Now, I want to touch on this because it

10   gets a little weird. The Company has put forward --

11   in my understanding, they are allowing customers to

12   take on the economic development writer, but they

13   have created a separate writer that's attempting to

14   claw back that subsidy.

15   In the initial filing, I believe this was

16   the SSR, and then I believe in the stipulation, they

17   changed the name of it. And you might -- if you ask

18   them, they might say, yeah we're trying to claw back

19   that subsidy through a separate writer.

20   And I pose to you a simple question, why

21   on earth would you do it that way? Like, why would

22   you give them a subsidy and then claw it back to a

23   separate writer? Just don't give them access to

24   ADR. You can do it. You've already done it. It's

25   legally allowed, just don't allow them to use the

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   ADR. It's that simple.

2   Mandatory emergency curtailment feature.

3   Okay, you all probably are aware SPP is having

4   energy problems. It's having tight margins. It's

5   having difficulty sourcing its energy.

6   Evergy West in particular doesn't have

7   generation capacity in its own to meet its demand.

8   It has to buy with bilateral contracts. And they

9   won't until 2030.

10   Right now, because of a stipulation, we

11   are doing what is called a value of lost load study.

12   And what that value of lost load study says is,

13   basically, there may be a point where it makes sense

14   for a utility to not supply energy because it's more

15   cost effective to not supply energy. And if that's

16   what the study says, we think that's what should be

17   applied.

18   Basically, if there is a point where the

19   utility says, hey, it's cheaper for us overall for

20   everybody just to not supply you energy, that's what

21   we're going to do.

22   Now, if that sounds a little bit

23   confusing, I strongly encourage you to ask Dr. Mark

24   about this. He's the one who can provide all the

25   details on this. He can explain better what that

1   means.

2   This kind of thing, it's already kind of

3   anticipated in Texas. So it's not out there.

4   Again, it's not out of the ordinary. We're asking

5   for that to be implied here in Missouri.

6   The preconstruction and postconstruction

7   analysis reporting metrics, again, the OPC proposed

8   three studies of power usage effectiveness, water

9   usage effectiveness and total harmonic distortion.

10   These are really just about transparency,

11   you know, to Commissioner Kolkmeyer's point earlier

12   regarding how much water does Meta use, this is

13   trying to make sure that that information is readily

14   in front of the Commission. It's, basically, just

15   transparency, best practices and resource adequacy.

16   Now, I do want to talk a little about that

17   third one because that one's the unique one. That's

18   one's a little bit weird and intrusting.

19   So what is total harmonic distortion?

20   Electric harmonics refer to unwanted voltage or

21   current variations due to load variation. So like,

22   if you could imagine your lights starting to

23   flicker, that's because some really big entity

24   nearby was turning up or down their power, and they

25   were causing congestion on the line, for example.

1   And we already have data right now today

2   that shows that these power distortions are worse

3   closer to data centers. Like, we already have a

4   report by Whisker Labs that shows that data centers

5   are having a severe impact on the harmonics of

6   nearby local residents.

7   And those can have profound impacts. They

8   increase your risk of house fires, they lower the

9   life of your appliances and have to run electricity.

10 This is a major issue.

11   And we think that mitigating those should

12 be costs borne by those causing them. Again, we're

13 supporting cost causation. And I just want to bring

14 this up because earlier it was mentioned that these

15 issues that we're raising are behind-the-meter

16 issues.

17   That's not entirely true. This is very

18 much an electric grid issue. This is a safety and

19 reliability issue. And having the Commission

20 require the companies to put forward information on

21 this is going to help make sure that we are

22 providing safe and adequate service.

23   Now, the good news is that this is

24 actually really easy to do. There's already

25 companies, like Ting, who built little monitors that

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 you can just plug into an outlet, and they'll

2 monitor the amount of variation in your home.

3   And just to kind of show you what that

4 looks like, this is a graph that shows a -- harmonic

5 variations in, I believe, it's Virginia. And you

6 can see, sort of, this as a normal one along the

7 bottom. The bad harmonics along the top is what it

8 looks like nearer to a data center.

9   So you can see they can have some pretty

10 significant impacts on the grid, and we're asking

11 for the Commission at this stage just to require

12 studies to help explain this, to help track this,

13 and if necessary, that's going to allow us to make

14 arguments in the future for how to correct it.

15   The phase two study, I'm not going to

16 spend much time on this. This is a really simple

17 one. Effectively, there's a $200,000 deposit in

18 place to help pay for interconnection agreements if

19 a customer wants to come on. Evergy wants to waive

20 that under certain circumstances.

21   We think, you know, if a customer's going

22 to join the grid of your size, you need to have

23 enough skin in the game to show that you're going to

24 actually take.

25   I want to point out that, like, we're

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   talking $200,000 on issues where people are dropping

2   billion dollars on data centers. I genuinely don't

3   know that this is, like, an issue holding up

4   anything.

5   And we don't have an objection if the

6   Company wants to waive it from their end and put it

7   on shareholders. They have every benefit or reason

8   to because it's going to ultimately benefit them.

9   So the short version is, Evergy proposed

10   it. They said they want to waive it under certain

11   circumstances. We just say, don't waive it. That's

12   it.

13   The last one I want to talk about is a

14   community benefits program. Again, I think most of

15   you are already aware that there is a reduction in

16   the federal funding currently available to serve a

17   lot of the programs that are aimed at helping rate

18   payers in Missouri that are on the lower end of the

19   economic spectrum.

20   I'm also fairly certain that in a week's

21   time when you all come to the Power (indiscernible)

22   Affordability Summit, this issue is probably going

23   to be brought up there as well.

24   So we look at this, and we say, hey, these

25   data centers, they're posing a lot of risk to the

1 system by being brought online, right? There's that

2 risk of subsidized. There's that risk of stranded

3 investment.

4   In order to combat that risk, we think

5 that these data centers should be contributing to a

6 community benefits program that would help balance,

7 right. It would help to give back to the community

8 and justify their presence on the grid.

9   And, again, we believe this is consistent

10 with Missouri law and is already included in other

11 states such as Texas and Oregon.

12   And I'll say it for the third time, if you

13 have any questions, if you want more details, I,

14 please, strongly encourage you to ask our witness,

15 Dr. Jeff Mark, to provide more details on this.

16   Okay, so in my conclusion, if there was

17 ever a time to be skeptical, Commission, this is it.

18 This is the time where you really need to start

19 thinking about, okay, how sure are we that these

20 data centers are actually going to be able to

21 justify the amount of investment they're calling for

22 here in the state.

23   You need to be asking that question, you

24 know, can these things actually turn a profit, can

25 they survive for the 30, 60 years that we are

 1   anticipating to have generation online to serve

 2   them.

 3   We also need to say, you know, what are

 4   the rewards and what other risks. Because you've

 5   heard a lot about the benefits from the various

 6   interveners, but you haven't heard much from --

 7   about the risks from anybody outside of OPC and

 8   Staff. And, again, that's a bit of a concern.

 9   And you need to be considering whether or

10   not you should even be hearing this here. As I

11   said, Staff put forward the idea let's consider

12   making this a workshop. You should actually

13   consider making this a workshop.

14   There's no reason you can't just deny both

15   tariffs and say, let's go handle this, and Liberty

16   for that matter, all at the same time and the same

17   place. And that would allow you all to be more

18   directly involved in the discussion, to ask

19   questions directly and to better inform yourselves.

20   And I think that that's a really --

21   honestly, it's a smart idea, and I strongly

22   recommended you to consider it.

23   Last slide, what is the OPC asking? The

24   OPC is asking for cost causation to be maintained.

25   The OPC is asking that the Commission follow its

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   legislative guidance, that you avoid allowing the

2   subsidies that are built into Evergy's and the rest

3   of the parties' stipulation from occurring.

4   And on that point, again, in my opinion,

5   this case is not so much a facts-base issue that we

6   get with all the rate cases.

7   In my opinion, this case really is a

8   policy issue. And honestly, it's, basically, just

9   one major policy issue, and that is what is the

10 state saying with regard to subsidizing data

11 centers?

12   Now, if you all believe that the policy of

13 this state should be that we are going to subsidize

14 data center build-out, then by all means, go with

15 what Evergy and Ameren and all the other interveners

16 have proposed because that's what you're going to

17 get.

18   You're going to get a system that allows

19 for non-large load customers to subsidize data

20 center build-out.

21   If alternatively, you say, we welcome data

22 centers. We're happy to have you here, but you have

23 to pay your own way, that's when you should be going

24 with the OPC. That's when you should be going with

25 Staff because that's our end goal.

1   Despite what anybody else has said, our

2   goal here is simply to make sure that at the end of

3   the day, data centers are paying for themselves,

4   large load customers are paying for themselves, and

5   that we are not getting cross subsidization. And

6   that, Commission, concludes my opening arguments.

7   REGULATORY LAW JUDGE WALKER: First, I'd

8   like to welcome Commissioner Coleman who has gone

9   from being virtual to being real. And then ask if

10   there are any Commission questions. Commissioner

11   Kolkmeyer?

12   COMMISSIONER KOLKMEYER: Thank you, Judge.

13   Who is Patmos Hosting?

14   MR. CLIZER: A company that builds data

15   centers. Again, I would actually ask Dr. Jeff if

16   there's more specific information than that on it.

17   COMMISSIONER KOLKMEYER: And they are

18   current -- they currently have one in Kansas City?

19   MR. CLIZER: Building, I believe. In the

20   process of. I'm not sure of the time frame.

21   COMMISSIONER KOLKMEYER: Yes.

22   (Inaudible.)

23   MR. CLIZER: It is cited in his testimony,

24   I will point out, and I'll get you the citation

25   later if you would like, but he references it in

1 testimony.

2 COMMISSIONER KOLKMEYER: Okay, thank you.

3 REGULATORY LAW JUDGE WALKER: Commissioner

4 Hahn?

5 CHAIR HAHN: Thank you, Mr. Clizer, for

6 your opening.

7 I want to understand OPC's position

8 clearly, and I may not because OPC did not mention

9 anything about Staff's proposed tariff. And we have

10 two very distinct choices.

11 What I think I might have actually heard

12 is that you may potentially, with protections that

13 are added by the OPC, be closer to the stipulation

14 and agreement.

15 Is that's the case, or are you still

16 advocating for Staff's proposed tariff plus your

17 additional modifications?

18 MR. CLIZER: Thank you, Commissioner.

19 That's an exceptionally good question. It actually

20 reminds me to address something that I wanted to

21 touch on earlier.

22 Specifically, I believe it was Mr. Lowery,

23 on behalf of Ameren, got up here and told you it's a

24 binary choice. You have to make a binary choice.

25 And with all due respect, he is wrong.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   This is not a binary choice. I understand why you'd

2   see it that way. You have one proposal. You have a

3   second proposal. You'd think those are the only two

4   options.

5   But it's not at all the case. This

6   Commission has the power to pick and choose. It can

7   look at what it likes in each of the two proposals

8   and say, we like a little from Column A; we like a

9   little of Column B.

10   It has the ability to stay, we like what

11 you're going for, but we think there should be

12 additional protections, like what the OPC is asking

13 for. It has the power to say, we think this also

14 needs to be put in there.

15   To answer your question directly, I think

16 that, yes, if we got additional protections on top

17 of what Staff, it would, sorry, on top of what the

18 Company is proposing, it would definitely get us

19 much closer to something we'd be comfortable with.

20   I also don't think that that was possible

21 to achieve from a settlement position because we're

22 requiring, we're asking to prevent that subsidy,

23 which is, ultimately, going to benefit the Company

24 bottom line.

25   And I think that was probably an

1   insurmountable hurdle. I can't speak for the

2   Company, obviously, but, you know, that's just my

3   two cents on it.

4   But at the end of the day, you know,

5   again, I think Staff, for the large part, would,

6   honestly, agree with me, you have a wide option on

7   what to order here. You can absolutely simply say,

8   this is the general parameters of what we want.

9   Parties to go back and work together on getting

10   something together.

11   You can say, we have proof of -- we like

12   Staff's overall design, but maybe not the minimum

13   build. That's a little bit confusing. Maybe we

14   should adopt what the Company had. Be creative.

15   Explore options. Don't just stick yourself in the

16   camp of thinking it has to be A or B. That is a

17   mistake.

18   You guys are smart enough to know that

19   there are a multitude of ways to solve a problem.

20   So I recommend that you consider it.

21   Again, to answer your question directly, I

22   think that if we got all the recommendations we put

23   on top of what the Company proposed, we'd be

24   significantly closer. I would need to double check,

25   but that's kind of where I'm at. Is that -- does

1 that answer the question?

2   CHAIR HAHN: I think so. Thank you.

3   REGULATORY LAW JUDGE WALKER: Any more

4 Commissioner questions? Okay, hearing none -- okay,

5 we are going to break for lunch. Before we do that,

6 in a bit of magic, I have received Staff's

7 objections to Evergy's late filing while they were

8 sitting here.

9   It is (inaudible.) And OPC, if you'd like

10 your objections to be part of the record, please

11 have them here by the end of tomorrow.

12   MR. CLIZER: Do I need a written

13 objection? Or can I make a standing objection to

14 it?

15   REGULATORY LAW JUDGE WALKER: You can make

16 a standing objection to it.

17   MR. CLIZER: If I'm being completely

18 honest with you, Your Honor, I would prefer to make

19 a standing objection.

20   I had not had an opportunity to review the

21 testimony, and therefore, I would object to its

22 inclusion until given at least the proper time to

23 review it and potentially file responsive testimony

24 if so warranted.

25   REGULATORY LAW JUDGE WALKER: Actually,

1 I'll allow both of you to have rebuttal testimony to

2 the extra testimony that was filed during the

3 testimony today.

4   MR. PRINGLE: And, Judge, would you like

5 that as prefiled rebuttal or live on the stand

6 rebuttal? And if prefiled, when would you like for

7 us to file that?

8   REGULATORY LAW JUDGE WALKER: Well, I'm

9 assuming Mr. Gunn is going to be the first witness

10 so live is what I'm guessing.

11   MR. PRINGLE: All right, thank you, Judge.

12   MADAM COURT REPORTER: I'm sorry, who made

13 that objection? I can't see the video any longer

14 for some reason.

15   MR. CLIZER: Sorry, I think the objection

16 was made by John Clizer on behalf of OPC, but the

17 second person talking who posed a question to the

18 Judge was Travis Pringle on behalf of staff.

19   MADAM COURT REPORTER: Okay.

20   MR. PRINGLE: And this is Travel Pringle,

21 and that, Mr. Clizer, is correct.

22   REGULATORY LAW JUDGE WALKER: All right.

23   MADAM COURT REPORTER: Okay, thank you.

24   REGULATORY LAW JUDGE WALKER: Have a good

25 lunch. We'll come back here in an hour.

1 Break at 11:36 a.m. until 12:36 p.m.]

2   REGULATORY LAW JUDGE WALKER: We will

3 start testimony, and we will start with Mr. Gunn.

4   MS. WHIPPLE: Thank you. Company calls

5 Kevin Gunn. Your Honor, how do we do a swearing in?

6   REGULATORY LAW JUDGE WALKER: I do that.

7   MS. WHIPPLE: Great.

8   REGULATORY LAW JUDGE WALKER: Can you

9 raise your right hand? Do you promise to tell the

10 truth, the whole truth and nothing but the truth so

11 help you God?

12   THE WITNESS: I do.

13   REGULATORY LAW JUDGE WALKER: Okay, you

14 may proceed.

15   KEVIN GUNN,

16   THE WITNESS HEREINBEFORE NAMED, having

17 been first duly cautioned and sworn to tell the

18 truth testified as follows, to-wit:

19   DIRECT EXAMINATION

20 BY MS. WHIPPLE:

21 Q   Please state and spell your name for the

22 record.

23 A   Kevin Gunn, K-E-V-I-N, G-U-N-N.

24 Q   By whom are you employed?

25 A   Evergy.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Q   And what is your position there?

2 A   Currently, it's vice president for regulatory

3 and government affairs.

4 Q   Did you prepare direct surrebuttal and

5 testimony in support of stipulation and agreement in

6 this case on behalf of Evergy Missouri Metro and

7 Evergy Missouri West, which have been marked as

8 Exhibits 100, 104 and 106?

9 A   I did.

10 Q   Do you have any corrections to any of those

11 three pieces of testimony?

12 A   I have no corrections, but the opinions would

13 conform to supporting the stipulation and agreement

14 that was filed last week.

15 Q   Are the answers to those questions and that

16 testimony true and correct today to the best of your

17 knowledge and belief?

18 A   They are.

19   MS. WHIPPLE: Your Honor, at this time,

20 Company would move to admit Exhibits 100, 104 and

21 106, please.

22   REGULATORY LAW JUDGE WALKER: (Inaudible.)

23   MS. WHIPPLE: Yes, the direct testimony of

24 Kevin Gunn is Exhibit 100. The surrebuttal

25 testimony of Kevin Gunn is Exhibit 104. And the

1   testimony and support of stipulation and agreement,

2   which was, Your Honor, granted leave for that today,

3   that's Exhibit 106. And the redwell that we just

4   brought up to you are the hard copies of those.

5   REGULATORY LAW JUDGE WALKER: Thank you so

6   much.

7   MS. WHIPPLE: Are they so admitted, Your

8   Honor?

9   REGULATORY LAW JUDGE WALKER: Yes, they

10 are.

11 [Exhibits 100, 104 and 106 admitted.]

12   MR. CLIZER: Your Honor --

13   REGULATORY LAW JUDGE WALKER: You can't

14 hear me?

15   MR. CLIZER: No, I can hear you.

16   REGULATORY LAW JUDGE WALKER: Okay.

17   MR. CLIZER: I was just going to say, I

18 appreciate that it has already been ruled on, but

19 for the sake of the record, we renew our objection

20 to the admission of the testimony supporting

21 surrebuttal. Again, I appreciate it's already been

22 ruled on.

23   REGULATORY LAW JUDGE WALKER: So renewed.

24   MR. PRINGLE: And this is Travis Pringle

25 on behalf of Staff. Same statement, just standing

1 on that objection from earlier.

2   REGULATORY LAW JUDGE WALKER: So noted.

3   MR. PRINGLE: And that was to just Exhibit

4 106.

5   REGULATORY LAW JUDGE WALKER: Mr. Clizer,

6 are you objecting to all exhibits or just 106?

7   MR. CLIZER: No, just the 106.

8   MS. WHIPPLE: At this time, Your Honor, I

9 would tender the witness for bench questions and

10 cross-examination.

11   REGULATORY LAW JUDGE WALKER: All right,

12 we're going to do cross-examination in the same

13 order. So we'll begin with Staff. Do you have any

14 cross-examination?

15   MR. LOWERY: Your Honor, the order of

16 cross-examination differs based on the witness being

17 crossed, and there's a specific list in order for

18 each sponsoring party in the list of opening, the

19 list of issues filed.

20   REGULATORY LAW JUDGE WALKER: Does anybody

21 have that so I can see it?

22   MR. PRINGLE: Yes, we're pulling that up

23 right now, Judge.

24   REGULATORY LAW JUDGE WALKER: Perfect.

25   MR. PRINGLE: Looks like Ameren Missouri

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   will be going first.

2   MS. HANSEN: Accept as part of the

3   stipulation, the signatories have agreed to waive

4   cross of the other signatories to the stipulation.

5   REGULATORY LAW JUDGE WALKER: So we're

6   right back to Staff?

7   MR. PRINGLE: Yep. With that -- with that

8   clarification, yeah, it is back at Staff.

9   REGULATORY LAW JUDGE WALKER: I meant to

10 do that. Okay, Staff, you may proceed.

11   MS. KLAUS: Thank you, Judge. For the

12 court reporter, this is Alexandra Klaus on behalf of

13 Staff. That is A-L-E-X-A-N-D-R-A, last name is

14 Klaus, K-L-A-U-S.

15   CROSS-EXAMINATION

16 BY MS. KLAUS:

17 Q   Good afternoon, Mr. Gunn. I had to check the

18 time there. Were you here during the opening

19 statements in this case?

20 A   I was.

21 Q   Did you hear your counsel state something to

22 the effect of: Existing practice requires Evergy to

23 reimburse customers for revenues in excess of its

24 authorized rate of return?

25 A   I believe she said something to that effect,

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   yes.

2   Q   Do you agree with that statement?

3   A   If we're found to have been earning over our

4   rate of return, the Commission absolutely could

5   order us to refund that -- that --

6   Q   So you do agree with that statement?

7   A   If the Commission orders us to refund those

8   revenues that are over our authorized rate of

9   return, yes, I do.

10   Q   Does the Kansas version of the FAC include a

11   base amount in rates or is that a fully separate

12   writer?

13   A   I actually don't know the answer to that

14   question. Witness Brad Lutz will probably be able

15   to answer that question.

16   Q   Thank you. I appreciate that direction. Are

17   you aware of the MKT Tariff?

18   A   I am.

19   Q   We do have some copies we could distribute

20   around. I would ask that administrative notice be

21   taken of an officially-published tariff. But I just

22   want to work through a couple of quick questions

23   with you. So we'll get a copy up to you.

24   A   Sure.

25   MS. KLAUS: Your Honor, may I approach?

1 BY MS. KLAUS:

2 Q   Mr. Gunn, if I could have you get to Sheet

3 158.1, I believe that's on the second page. And I'm

4 looking at Paragraph 1, rate for energy service.

5   Do you mind reading that for me pretty quick

6 out loud, please?

7 A   Sure. (As read) Rate for energy service, an

8 energy charge will be assessed based on the number

9 of kilowatt hours consumed in any given hour

10 multiplied by the appropriate cost to purchase

11 energy from the Southwest Power Pool, SPP, for that

12 hour.

13   The Company will specify the load node to be

14 used in the special high load factor market rate

15 contract described below, and that SPP node will be

16 used to price the hourly energy and all applicable

17 SPP charges.

18   All elements included in the rate will be

19 specified in the special high load factor market

20 rate contract described below.

21 Q   Thank you for that. Is that more like the

22 Staff structure or the stipulation in this case?

23 A   Well, it's more like the Staff structure, but

24 it's -- because the Staff takes an incremental

25 charge rather than a base rate tariff, which is what

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 the LLPS is.

2 Q   Thank you. Could I ask you to please go to

3 Paragraph 2. I'm looking at that captioned, "Rate

4 for Capacity Service." Could you please read that

5 out loud.

6 A   Sure. (As read) The Company, we use good

7 utility practice to identify lowest cost capacity

8 options available at the time.

9   MR. FISCHER: I'm sorry to interrupt, but

10 Mr. Gunn, could you slow down for the court reporter

11 a little bit? I think she's probably having a hard

12 time.

13   THE WITNESS: Sure.

14 A   (As read) The Company will use good utility

15 practice to identify lowest cost capacity options

16 available at the time each customer requests service

17 under this schedule.

18   The approach to identify these options may

19 include but is not limited to pricing for

20 construction of physical resource to serve capacity

21 or distinct request for proposal for firm capacity

22 offered in the SPP market.

23   Recognizing that capacity may not be obtained

24 in small increments to match customer needs, all

25 efforts will be made to (indiscernible) the benefit

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   of the capacity options for the customer and the

2   company.

3   As needed, the rate for capacity may be

4   inclusive of other capacity-base costs, including

5   all applicable SPP charges, infrastructure

6   investment recovery or customer contributions.

7   The rate in all elements included in the rate

8   will be specified in the special high load factor

9   market rate contract described below.

10   BY MS. KLAUS:

11   Q   Thank you for that. Now, does that sound more

12   like the Staff structure or the stipulation in this

13   case?

14   A   I mean, to me, it sounds more like the Staff

15   structure, but, again, they are apples and oranges.

16   Q   Thank you. Could I please ask you to look at

17   Paragraph 3, and this is captioned, "Pricing for All

18   Other Service."

19   And then I will also ask you to go to

20   Paragraph 4, the last paragraph there. If we have

21   some hiccups in working through that, I'll help you

22   through that.

23   May I ask you to please read aloud Paragraph 3,

24   "Pricing for all other service."

25   MS. WHIPPLE: Judge, I'm sorry, this is

1 Jackie Whipple for the Company. I just want to

2 object to relevance at this point.

3   REGULATORY LAW JUDGE WALKER: (Inaudible.)

4 A   Okay. You just want me to read it?

5 BY MS. KLAUS:

6 Q   Yes, please.

7 A   (As read) Pricing for customer charges and any

8 other applicable charges applicable under this rate

9 schedule are defined within the high -- special high

10 load factor market rate contract described below and

11 shall include all applicable minimum demand and

12 facility charges.

13 Q   And then if we hop over to the next page, I'm

14 looking at Paragraph 4. In that last two sentences

15 of Paragraph 4 beginning with, "Customer will not,"

16 may I ask you to read that allowed, please.

17 A   (As read) Customer will not be eligible to

18 take service under this rate until the Commission

19 approves the individual special high load factor

20 market rate contract.

21   If the Commission does not approve the

22 individual special high load factor market rate

23 contract, customer may take service under another

24 rate schedule for which they qualify.

25 Q   And finally on this round, does that sound more

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 like Staff structure or the stipulation in this

2 case?

3 A   Again, I think the point is, is that we've

4 developed a baseload tariff. And this is not a

5 baseload tariff. This is a special incremental cost

6 tariff.

7   So it may sound a lot more like the Staff

8 structure, but that is another example of why Staff

9 structure doesn't work here because we are creating

10 a baseload tariff.

11 Q   Does the stipulation allow any customer to stay

12 on the MKT Tariff?

13 A   No.

14 Q   Does the stipulation allow any customer to stay

15 on the SIL Tariff?

16 A   Yes. And I don't think we have any customers

17 on the MKT Tariff, by the way.

18 Q   Your surrebuttal and your supplemental

19 testimony focus a good bit on the settlement

20 agreement that was reached in Kansas, would you

21 agree with that?

22 A   Surrebuttal, yes.

23 Q   And the supplemental? The supplemental would

24 be as to the stipulation?

25 A   Right. The supplemental in this case was

1 designed to give the Commission -- to know what was

2 different between our filed case and what the

3 stipulation and agreement was.

4 Q   And you couldn't tell me if the FAC is

5 different between Kansas and Missouri?

6 A   I don't know the answer to that question.

7 Q   There were a couple of industries that I noted

8 were represented in that Kansas stipulation, and

9 more particularly, I'm thinking about Goodyear and

10 I'm thinking about an aerospace entity that was a

11 signatory to that Kansas stipulation.

12   Is that in line with your recollection and

13 understanding?

14 A   I believe that's correct.

15 Q   Were there any automotive customers that are in

16 this room or in this docket in this case?

17 A   No.

18 Q   Are there any aerospace customers?

19 A   No.

20 Q   Do you recall in December 2024 or January 2025

21 meeting with Staff and OPC regarding Evergy's

22 proposed tariff filing?

23 A   Are you talking about one of the workshops that

24 we held?

25 Q   I don't know if I'd call it a workshop,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1 necessarily.

 2 A   Where we walked through our proposal with the

 3 parties?

 4 Q   We had some informal meetings, yeah.

 5 A   That's correct, yes, we did.

 6 Q   And did Staff provide a marked-up redline of

 7 the tariff with comments after that meeting?

 8 A   They did.

 9 Q   And did Staff provide a summary of the concerns

10 that it had with the proposed writers?

11 A   In writing?

12 Q   In writing.

13 A   I believe that's correct.

14 Q   Do you have a copy of your testimony in support

15 of the stipulation?

16 A   I do.

17 Q   A little quicker than I am with it there. I've

18 got a copy in front of me now, too.

19   May I please ask you to go to what looks to be

20 page 6?

21 A   Sure.

22 Q   And I'm looking at lines 4 through 8, and the

23 question is: When did the Company initiate

24 settlement discussions. And you state that (as

25 read,) We, the Company, initiated settlement

1   discussions in earnest after rebuttal testimony was

2   filed and engaged through the course of multiple

3   settlement discussions.

4   All parties had an opportunity to participate

5   in settlement discussions either directly with the

6   Company or with the broad group of interveners at

7   various points.

8   Did I read that correctly?

9   A   You did.

10 Q   How many total meetings where there between the

11 time that rebuttal testimony was filed and the

12 filing of the stipulation in this case?

13 A   Total meetings?

14 Q   Total meetings.

15 A   Are you talking about settlement discussion

16 meetings?

17 Q   Yes.

18 A   I can't answer that question. There were

19 multiple, both individual and as a group.

20   MS. WHIPPLE: Can we -- I'm sorry. What's

21 a meeting? Can we get a little more specificity

22 on -- on what your question is?

23   MS. KLAUS: A meeting, I guess it could be

24 any group of people coming together to discuss

25 settlement. I can change the wording of my

1 question.

2 BY MS. KLAUS:

3 Q   How many settlement discussions did you have?

4 A   I, personally, had multiple discussions with

5 all of the parties.

6 Q   Who was invited to these discussions?

7 A   Various parties were invited to various

8 meetings. Some were one-on-one and some were as a

9 group.

10 Q   Was Staff invited to any group discussion?

11 A   Yeah. I actually offered -- and, again, I -- I

12 spoke to Staff before the formal settlement

13 discussions on September 23rd.

14   I spoke to them on September 19th and said,

15 look, we would love to have you participate if you

16 think that the fundamental difference that we have

17 on our tariffs can be resolved. If not, there may

18 not be entire value to do it, but we would love to

19 sit down with you.

20   I had subsequent discussions with other

21 individuals from Staff and made the same offer, that

22 if we felt that there was places where we could have

23 an agreement, we would love to sit down and talk to

24 them.

25   So they were absolutely invited to settlement

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   discussions.

 2   Q   Thank you for that. And I think you referenced

 3   two dates. I just want to make sure I got those

 4   clearly. You said September 19th and September

 5   23rd, correct?

 6   A   September 19th was where -- my direct contact

 7   with Staff. September 23rd was the formal

 8   settlement negotiations, and September 23rd was also

 9   the date that I spoke to some of Staff's lawyers and

10   reiterated the offer to participate in settlement

11   discussions.

12   Q   And at that time, was the stipulation agreed to

13   in principle?

14   A   No.

15   Q   When was the stipulation agreed to in

16   principle?

17   A   When it was filed.

18   MS. KLAUS: No further questions. Thank

19   you for your time today, Mr. Gunn.

20   THE WITNESS: Sure.

21   REGULATORY LAW JUDGE WALKER: Ms. Klaus,

22   if you would like administrative notice taken of

23   this special high load factor market rate schedule,

24   we need to -- you need to offer it, and we need to

25   mark it.

 1   MS. KLAUS: Thank you, Judge. Yes, I

 2   would so request, and I'm trying to find our exhibit

 3   list. I think we are at Staff Exhibit 208. Staff

 4   so offers Exhibit 208, Evergy's schedule MKT special

 5   high load factor market rate.

 6   REGULATORY LAW JUDGE WALKER: Are there

 7   any objections?

 8   MS. WHIPPLE: None.

 9   REGULATORY LAW JUDGE WALKER: Hearing

10   none, it will be admitted.

11   [Exhibit 208 admitted.]

12   MS. KLAUS: Thank you.

13   REGULATORY LAW JUDGE WALKER: All right,

14   now we'll go to cross-examination -- well, maybe OPC

15   would like a turn. Office of Public Counsel, would

16   you like to go now or would you like to wait until

17   the end?

18   MR. CLIZER: I would like to cross.

19   THE REGULATORY LAW JUDGE WALKER: You want

20   to go now instead of waiting until the end?

21   MR. CLIZER: I think we are the end.

22   REGULATORY LAW JUDGE WALKER: Oh, yeah,

23   you are the end.

24   MR. CLIZER: That's okay.

25   CROSS-EXAMINATION

1 BY MR. CLIZER:

2 Q   Good afternoon, Mr. Gunn.

3 A   Afternoon.

4 Q   I have to say, I didn't have anything prepared,

5 but the first Q and A that you got from Staff has

6 got me real curious. And I want to make sure I

7 heard you right because I think I -- I think I

8 misunderstood.

9   If the Commission sets Evergy's rates in a rate

10 case and then in subsequent rate case determines

11 that the Company over earned its ROE, is it your

12 position that the Commission can order revenues that

13 were accumulated, that were recovered by the Company

14 between the rate cases returned as part of the

15 subsequent rate case?

16   MS. WHIPPLE: Object to the extent that

17 it's asked and answered and also to the extent that

18 it asks for a legal conclusion.

19   REGULATORY LAW JUDGE WALKER: Overruled.

20 A   It's my belief that the Commission can order

21 refunds in certain -- under certain conditions.

22 BY MR. CLIZER:

23 Q   And that's as part of a general rate

24 proceeding?

25 A   I think as a general rate proceeding, I believe

 1   they would have that authority.

 2   Q   Okay. I guess I didn't mishear.

 3   MR. CLIZER: That was all my questions.

 4   REGULATORY LAW JUDGE WALKER: Are there

 5   any questions by the Commission? Chair Hahn?

 6   COMMISSIONER EXAMINATION

 7   BY CHAIR HAHN:

 8   Q   Good afternoon, Mr. Gunn.

 9   A   Good afternoon.

10   Q   I want to follow on the questioning from

11   Ms. Klaus. In the opening from Ms. Whipple and the

12   PowerPoint presentation, there is a bullet point

13   that says, Staff's tariff proposal, by not

14   participating substantively in settlement

15   discussions, Staff is effectively forcing the

16   Commission to choose between Evergy's tariff and

17   Staff's proposed tariff.

18   Can you further elaborate on what is meant by

19   that bullet point?

20   A   Look, I think we came to the conclusion that

21   Staff's proposal is irreconcilable with ours. It's

22   not a pick-and-choose. They're just fundamentally

23   different approaches.

24   And because those -- they have fundamentally

25   different approaches, it's very difficult to

 1 actually move and come to an agreement, almost

 2 impossible.

 3   I've described it as, kind of, like we're in

 4 two different -- on two different playing fields,

 5 and until we can come to an agreement that we were

 6 on one single playing field, it was difficult to do

 7 that.

 8   But I disagree with OPC's opening where you

 9 have the ability to pick and choose because these

10 all -- all these provisions work in concert.

11   All of the protections, all of the writers, all

12 of the -- all of the mechanisms that are involved

13 kind of work in concert.

14   And if you pull one out and push one in, it --

15 it could cause almost fatal flaws in those -- in

16 those documents.

17   So we do believe that it really is a binary

18 choice between what Staff has proposed and what the

19 other parties through their global stipulation and

20 agreement have proposed.

21 Q   Okay, thank you. Ms. Whipple brought it up in

22 opening, Staff, I think, has brought it up as has

23 OPC on the FAC.

24   Can you, please, talk about -- OPC proposes

25 changing the FAC potentially in this case.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   Can you talk about that, if it could be changed

2   in this case, if it could not be. I'm sure there is

3   significant discussion about it. If you would just

4   kind of give me your thoughts.

5   A   Sure. And I'll do it at a high level. I

6   think -- Brad Lutz would be another person to go

7   into more detail on this.

8   But we don't believe that you need to change

9   the FAC with this process because we are not carving

10   out LLPS of this, and we think there can be real

11   benefits to customers.

12   There are a lot of circumstances, I think, that

13   have to happen for the FAC to not operate the way

14   it's supposed to under this.

15   We believe that there are circumstances under

16   which, initially because you're projecting some of

17   the accumulation period, projected load, that you

18   actually could see a reduction in some of the rates

19   for existing customers at the beginning part of it.

20   But overall, because of the way that we've

21   incorporated the LLPS customers into the process, we

22   just fundamentally don't believe that we have to do

23   fundamental changes to the FAC.

24   Q   Thank you. In Mr. Busch's rebuttal, he argues

25   that Evergy hasn't provided evidence of your large

1   load customer pipeline in detail.

2   Can you speak to what Evergy has or has not

3   provided and why?

4   A   Well, obviously, most of this is incredibly

5   commercially sensitive information, both for Evergy

6   as well as for the customers that are seeking

7   service.

8   So we have tried through -- whether it's our

9   earnings call where we're presenting this that are

10   governed by SCC rules or whether it's other

11   presentations or large load filings, we have tried

12   to demonstrate, without specifically naming who the

13   customers are, what our realistic pipeline is, what

14   our realistic queue is.

15   And I think that that's why you see in the

16   chart that I put on that we do place different

17   levels of advancement how far those discussions are

18   on so that we don't overestimate the potential

19   customers that are coming but also not to

20   underestimate that as well.

21   Do we believe that every single one of those

22   projects is going to come to fruition? No, we do

23   not.

24   But they are in our active queue, and so we are

25   in the some sort of discussion with those customers.

1   So -- but we can't specify for, again,

2   commercially sensitive reasons or because we're

3   under nondisclosure agreements and other things that

4   would say specifically what customer, what their

5   name is, what their load ramp is, what size their

6   facility, where it's going to be located.

7   All of that -- and some of that is not

8   necessarily dependent on us. Some of that is

9   dependent on negotiations that the customer might be

10   having with the county or with other entities.

11   So we have tried in our -- to our earnest to

12   demonstrate that this is real. We can't make false

13   statements in our earnings. We can't make false

14   statements to the SCC.

15   We tried to demonstrate that this is real, but

16   we also recognize that there is -- not -- all of

17   these projects are in various stages, and they're

18   not all going to -- not all going to pan out.

19   Q   Thank you. One of the items that Staff brought

20   up in their opening is that there's been a lack of

21   transparency, which could have been, based on some

22   of the testimony that was filed, and that Evergy

23   does not agree that there should be a form service

24   agreement.

25   But Ameren has provided an example service

1 agreement. There's been no examples from Evergy.

2 Can you expand on that as to why that's the case?

3 A   We have a very -- a very diverse customer base

4 that would fall not only into this but other certain

5 tariffs that we have.

6   And I think that having a form does not grant

7 us the flexibility to deal with the customers and

8 their particular abilities as well as their -- and

9 capabilities.

10   So the -- having a form approved seems to

11 potentially hamper our ability to negotiate with

12 these clients and demonstrate them.

13   I would say that those ESAs are governed by the

14 four corners of the tariff. We cannot do something

15 in that ESA that is not allowed by the tariff or

16 isn't authorized by the tariff.

17   So to say that those ESAs can operate outside

18 of the tariff I don't think is an accurate

19 statement.

20   However, I mean, those ESAs can be provided to

21 the Commission, but I think it's important to

22 realize that a lot of that, what's contained in the

23 ESA are commercial operation utility management

24 terms and conditions, which is really in the

25 province of the utility to be able to manage as long

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   as it's covered by the four corners of the tariff,

2   which it would be.

3   Q   Thank you. A large part of Staff's case today

4   and the testimony is a real concern over positive

5   regulatory lag, one direction regulatory lag.

6   I know that this was dealt with in Kansas in a

7   rate case that had an earning-sharing mechanism. It

8   was dealt with in a rate case and not in a tariff

9   case.

10   In your view, is that something that could be

11 implemented in an Evergy rate case in Missouri to

12 match something similar in Kansas to mitigate

13 Staff's concern on positive regulatory lag?

14 A   I think the Commission would have the power to

15 order some sort of similar mechanism.

16   I would remind the Commission that the

17 mechanism in Kansas assumed that you are earning

18 your authorized ROE, and I think that that's not the

19 environment that we're in right now. And so I think

20 that's something to keep in mind.

21   But the Commission would absolutely have the

22 authority in a general rate case, and I think that

23 would be the appropriate place to do it, to deal

24 with the mechanism, if it so chose to do that.

25 Q   Okay. One other item relating to Kansas, the

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Kansas stip and agreement had a collateral change

2 where collateral could be reduced at five years. In

3 this stip and agreement, it's three. Why? Why the

4 difference?

5 A   I think what that three years is, is that there

6 would be no collateral reduction after three years.

7   I think for certain customers, we would review

8 that. I think it says we reviewed it on an annual

9 basis after that three years to determine whether a

10 collateral reduction is necessary.

11   The size and scope of some of these projects

12 and if they have good payment history for three

13 years, and I think the stipulation and agreement

14 also has certain metrics that we would take into

15 account.

16   We're not obligated to do that, but we thought

17 that, especially with certain customers that have

18 demonstrated credit worthiness, that have fulfilled

19 all of the requirements, that that three years was

20 enough for us to be comfortable, that we would be

21 able to take a good look at it. That would give us

22 enough history to be able to start taking a look at

23 it on a going-forward basis on an annual basis.

24   I don't know that there's a lot of magic

25 between three and five, and I think that collateral

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 reduction would be customer specific, especially

2 those customers that have demonstrated high credit

3 worthiness, good payment history, you know, already

4 demonstrated examples of fulfilling their

5 obligations.

6 Q   Yeah. It just seems like there is a lot of

7 parity between the two proposals. And for that

8 sake, I was curious if there was a particular reason

9 why collateral could be reduced after three years in

10 Missouri compared to five years in Kansas.

11 A   I would tell you that it was a negotiated

12 settlement and some of the parties felt it was

13 appropriate, and we felt like it was fine to move to

14 that.

15 Q   Sorry, I have more. I have more, but I have to

16 find my notes.

17 A   No problem.

18 Q   On the writers and the stip and agreement --

19 I'm trying to think through the Green Solution

20 Connection's Program, which is on page 19 of the

21 stipulation.

22 A   I'm looking at it now.

23 Q   I'm kind of confused about how the program or

24 the writer would operate because it says it gives

25 subscribers an opportunity to subscribe to future

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 renewable energy attributes associated with new

2 company-owned wind or solar acquired through the IRP

3 process that are not needed to meet renewable

4 compliance targets or requirements.

5   Can you talk me through the aim of that

6 program? I assume it's based on corporate goals and

7 if subscribers would pay for the entire costs of

8 those projects.

9 A   I'll answer what I can. Mr. Lutz might be a

10 better person to walk you through this, but I

11 believe what this allows to do is corporate

12 policies, if they wanted to give them the

13 flexibility to meet their corporate sustainability

14 goals, not mandates or anything.

15   So if we are not using them to fulfill whatever

16 requirements we have in the state of Missouri, we

17 can future sell those attributes to those companies.

18 They could purchase them and use them to fulfill

19 their corporate sustainability goals. But that

20 would be subject to check with Mr. Lutz.

21 Q   Okay, I might ask him. Thank you. On the

22 subject of EDR, it's been brought up, I think, by

23 both Staff and OPC that if you're eligible for LLPS,

24 you should not be eligible for EDR.

25   My reading of EDR is that you are eligible.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 It's an automatic under statute and that you are

2 trying to reconcile that with the LLPS and trying to

3 then -- there's an additional writer that was added

4 to try to make up the difference if you're not

5 covering your full cost of service.

6   Is that however Evergy reads it? Is there any

7 way using an EDR and LLPS that the large load

8 customer would not cover their full cost of service?

9 A   So that was, actually, our reading. We believe

10 that EDR is a mandatory statute, and even though

11 there are some qualifiers that otherwise -- we would

12 be forced to offer that to an otherwise eligible

13 company. So we agree with that reading.

14   We believe that because of the way that the

15 mechanism and the demand charge is set up, that that

16 will get that 120 percent threshold, which means

17 the EDR would not be available.

18   So -- but the -- but the writer is designed if

19 that threshold was not met, that we would be able to

20 make up that and so that that customer would not get

21 the benefit of that EDR discount. That absolutely

22 was the design of that.

23 Q   Thank you. I'm looking through my list, and I

24 think it may start with other witnesses, other

25 Evergy witnesses.

1   There were certain studies that OPC proposed on

2 harmonic distortion, water usage and power usage

3 effectiveness.

4   Can you talk me through Evergy's position on

5 conducting those studies if they would be well

6 conducted here or through the environmental

7 regulator or what your position is on those

8 particular studies.

9 A   So, fundamentally, that's not information that

10 we can provide. It's more of customer facing. And

11 that -- for part of that reason, we don't think it's

12 appropriate for it to be contained in the tariff.

13   There are a lot of reporting that these

14 customers do do. I think it was mentioned in the

15 opening.

16   And we think that much of the information that

17 OPC is looking for can be provided through reports

18 that are already provided by the customers, and we

19 certainly encourage the customer -- customers and

20 OPC to work through those. I just -- we just don't

21 think that it's appropriate for the tariffs.

22   The harmonics issue, there is some question

23 about whether or not data centers really -- there's

24 some dispute out there in the engineering world, but

25 I'm not an electrical engineer, about whether data

1 centers are actually the cause of those voltage

2 irregularities.

3   But to -- from our extent, we would be required

4 to follow the power quality SPP interconnection

5 rules that we think take care of that.

6   If the parties agree that studies should be

7 done, it could be outside of this tariff and could

8 be done on a voluntary basis or through another

9 agreement.

10   But fundamentally, they're not really

11 company -- we don't have the ability to talk about

12 water usage, for example. We don't regulate it. We

13 don't provide it. We don't have the ability to do

14 that.

15   So I mean, we're happy to discuss what aspects

16 that we can provide, but, again, we think it's not

17 as appropriate to put in the tariff moving forward.

18 Q   One of OPC's other requests was a

19 preconstruction analysis and postconstruction

20 reporting metrics, I'm assuming of large load power

21 service customers.

22   Can you tell -- is that something that could be

23 included in the annual report that is part of the

24 stipulation and agreement?

25 A   I think the annual reports -- part of the

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 reason we wrote in the stipulation and agreement

2 that the annual reports would be negotiated is so we

3 could work out some of those issues. Again, that

4 would be a negotiated report that we would put in.

5   We included the two, kind of, mandatory items

6 that we have control over, and -- which was the

7 number of customers and I think one other provision

8 that we would be able to provide.

9   But part of the reason we wrote it that way was

10 to allow the parties to figure out what we thought

11 would be helpful, what was already being reported.

12   We didn't want to duplicate reports and what

13 could be contained in those annual reports. But I

14 think those are negotiable among the parties of the

15 stakeholders when -- if the Commission were to order

16 that as part of the tariff.

17 Q   Okay. I think that's all I have. Thank you.

18 A   Thanks.

19   REGULATORY LAW JUDGE WALKER: Commissioner

20 Coleman?

21   COMMISSIONER COLEMAN: Thank you, just

22 one.

23   COMMISSIONER EXAMINATION

24 BY COMMISSIONER COLEMAN:

25 Q   I don't think I -- I don't recall the Chair

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 talking about this, but one of the things that OPC

2 brought up was the $200,000 deposit and that Evergy

3 wants to waive the fee.

4   And one of the comments, if I remember, OPC

5 stated was that with the amount, I'm paraphrasing

6 here, with the amount of dollars coming into on what

7 would be a result of perspective of LLPS customers

8 that this amount seems pretty low.

9   I wanted to get a perspective from Evergy about

10 that deposit amount.

11 A   Sure. First of all, we did, kind of, a survey

12 among other utilities. And we had initially thought

13 it was lower and that perspective was, from the

14 other utilities, were like, no, it needs to be

15 higher.

16   And it's not just 200,000. We can actually

17 request more if those costs go up. So if we use up

18 that $200,000 and we continue to use it, we reserve

19 the right to, again, go back and charge them --

20 charge them more for that. So it's not just 200 and

21 you're done if it goes over that.

22   We also have, quite frankly, a refund provision

23 that if, for whatever reason, you decide to drop out

24 of that project, we can refund that money.

25   The waiver provision really is designed to give

1 us the flexibility if there is a particular

2 community-interest project that comes in.

3   If, for example, the state were to come to us

4 and say, we are in a competitive process and we want

5 to see if you can -- and this is -- would be -- is

6 just extra money that makes our program not as

7 competitive as it would be.

8   So it's not designed just as, kind of, a, hey,

9 we don't want your money. Because that money helps

10 offsets the cost for the studies that we're

11 providing and offset Evergy labor.

12   It's really designed for those community

13 interest projects that there may be special

14 circumstances, whether it's speed, competitiveness

15 or a particular project that that would somehow be

16 an impediment that we would be able to waive it

17 under those conditions.

18   But -- and we can get you the information, but

19 I think that almost everyone in the queue has paid

20 that deposit.

21   COMMISSIONER COLEMAN: Thank you, Judge.

22 That's all.

23   REGULATORY LAW JUDGE WALKER: Okay. We'll

24 go to recross.

25   MS. HANSEN: Just one moment, please,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Judge. No recross. Thank you.

2   REGULATORY LAW JUDGE WALKER: Office of

3 Public Counsel, do you have recross?

4   MR. CLIZER: Just briefly.

5   RECROSS-EXAMINATION

6 BY MR. CLIZER:

7 Q   In part of the discussion with the Chair, you

8 had talked about whether or not the project

9 analysis, the reporting, is something that could be

10 provided.

11   And I believe that your response was

12 effectively that the Company cannot provide that.

13 Do you recall that discussion?

14 A   Yes, I do.

15 Q   Okay. You would agree with me that the tariff

16 requires several things from the perspective LLPS

17 customer, correct?

18 A   Sure.

19 Q   For example, providing collateral, right?

20 A   Yes.

21 Q   It would be entirely reasonable for the tariff

22 to say as a requirement of receiving service you

23 must provide a study if the Commission found such a

24 study was worth while, wouldn't you agree?

25 A   I would agree with one clarification, I think

1 there's a lot of information out there that is

2 already being provided in the manner of which is

3 being provided that people are comfortable with.

4   So I think that that's part of the reason why

5 you have the ability to negotiate that in order not

6 to duplicate and in order to make sure that it's all

7 done correctly.

8   If the Commission orders us to do that,

9 obviously, and puts it in a tariff, obviously, we

10 would comply with that.

11 Q   If it's already out there, what's the risk of

12 just allowing it to be put in front of the

13 Commission so people won't have to go looking for

14 it?

15 A   It -- that's -- it's not my issue, John.

16 It's -- the customers have commercial sensitivity

17 issues. There are -- there are -- I don't know all

18 the reasons.

19   What I do know is that it's not -- it's not the

20 Company's issues. It's the customer's issues that

21 we have to be respectful for.

22 Q   Well, I mean, you just said it's all publicly

23 available. That's part of the reason why --

24 A   No, I didn't. What I said is there were

25 certain -- there may be certain publicly available

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 reports and information that they provide already

2 that may be a portion of that, and we don't want to

3 duplicate that.

4 I did not say that all the information was

5 publicly available or that all the information was

6 not -- or that some of the information was not

7 commercially sensitive, which it could be.

8 Q   And they could file that in front of the

9 Commission under confidentiality, correct?

10 A   That's a potential possible outcome.

11 Q   So if there's information out there that isn't

12 publicly available, it would make sense for the

13 Commission to potentially require that to be

14 provided as part of the application process, subject

15 to confidentiality?

16 A   The Commission can always order that in a

17 tariff.

18 Q   All right. Let's move on. Regarding the

19 economic development writer, I believe there was an

20 exhibit marked previously -- you know what, actually

21 I'm going to skip past that for just a moment. I

22 want to go back to the FAC.

23 In the discussions that you had with the Chair

24 regarding the FAC, I believe that you sort of

25 expressed Evergy's opinion that you don't think the

1 FAC needs to be changed. Do you recall that

2 discussion?

3 A   I do.

4 Q   And I understand that that's your position. I

5 assume that you're at least familiar with the

6 position put forward by OPC Witness Ms. Mantle?

7 A   I am.

8 Q   Right. And, again, her position, effectively

9 is that it should be changed for the reasons that

10 she lays out in that. You agree with me on that?

11 A   I agree that's her position, yes.

12 Q   Of course. My question, really, is would

13 Evergy be willing to consider -- I mean, you

14 testified, effectively, that you don't think it

15 needs to.

16   Would you be willing to consider changing the

17 FAC in accordance with what the OPC has suggested?

18 A   I don't know the answer to that question.

19 Q   All right. Fair enough. One last second. I

20 don't have any further questions. Thank you.

21   REGULATORY LAW JUDGE WALKER: Your

22 stipulation allows for recross from the parties. So

23 I will call them, and if you have recross. Ameren?

24   UNIDENTIFIED FEMALE SPEAKER: No

25 questions. She gets to redirect.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   MS. WHIPPLE: I think all of the

2   stipulating parties have waived any kind of cross.

3   Do you mean in response to bench questions, Your

4   Honor?

5   REGULATORY LAW JUDGE WALKER: I do.

6   MS. WHIPPLE: Okay.

7   REGULATORY LAW JUDGE WALKER: Is there any

8   redirect? Do you have any redirect?

9   MS. WHIPPLE: Yes.

10   REGULATORY LAW JUDGE WALKER: All right.

11   Ameren doesn't have anything. Google? Data Center

12   Coalition?

13   MR. VIJAYKAR: No -- no recross from DCC.

14   Thank you, Your Honor.

15   REGULATORY LAW JUDGE WALKER: Velvet Tech

16   Services? Sierra Club?

17   MS. RUBENSTEIN: Not from Sierra Club.

18   Thank you.

19   REGULATORY LAW JUDGE WALKER: Renew

20   Missouri? Evergy?

21   MS. WHIPPLE: Thank you.

22   REDIRECT EXAMINATION

23   BY MS. WHIPPLE:

24   Q   Mr. Gunn, do you recall a conversation, I think

25   with the Chair and also with OPC, about

1 project-level detail and what can and what has not

2 been provided?

3 A   Yes.

4 Q   Is this a question for you or maybe for Jason

5 Klindt, are you aware that -- whether the Company

6 provided a DR response in this case with more

7 project-level detail than the SCC earnings call

8 information?

9 A   That's probably a question for Jason but would

10 not be surprised.

11 Q   You also had a conversation with the Chair

12 about the Kansas sharing mechanism. Do you recall

13 that?

14 A   I do.

15 Q   And was that sharing mechanism part of a

16 negotiated settlement with the parties in the KCC

17 proceeding?

18 A   It was.

19 Q   And it's not currently a KCC order, is it?

20 A   Separate and apart from the negotiated

21 settlement?

22 Q   That's right.

23 A   That's correct.

24 Q   But that's on the docket, isn't it, for it to

25 become ordered, isn't it?

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 A   Well, KCC -- I could be wrong. Subject to

2 (indiscernible). I thought the KCC approved the

3 rate case settlement last week, but I could be

4 incorrect on that.

5 Q   Okay. In conversations about the FAC, do you

6 know if there's a statutory provision that may limit

7 the ability to change the FAC mechanism outside of a

8 general rate case?

9 A   There might be. Again, I would -- Mr. Lutz is

10 much more familiar with the mechanics of the FAC

11 than I am.

12 Q   And if there is such a statutory restriction,

13 then it can't be changed in this tariff proceeding?

14   MR. CLIZER: I'm going to object on the

15 basis that he just said it should go to a different

16 witness.

17   MS. WHIPPLE: Well, I didn't finish my

18 question.

19 BY MS. WHIPPLE:

20 Q   If it was -- if there was such a restriction,

21 would it be your understanding that it couldn't be

22 changed in this proceeding?

23   MR. CLIZER: Objection still stands. He

24 literally just testified this should be asked to a

25 different witness.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   REGULATORY LAW JUDGE WALKER: I'm going to

2   overrule it. He can give his opinion.

3   A   I agree.

4   BY MS. WHIPPLE:

5   Q   There was -- there were several questions from

6   Staff regarding settlement discussions among the

7   parties in this case while protecting settlement

8   privilege.

9   Do you still stand behind the sentence on

10 page 6 of your Exhibit 106 testimony (as read,) All

11 parties had an opportunity to participate in

12 settlement discussions either directly with the

13 Company or with the broad group of interveners at

14 various points?

15 A   Let me say that part of my job is to reach out

16 to the stakeholders in various proceedings in front

17 of the Missouri Commission and try to reach a

18 consensus.

19   And I certainly did that in this case to each

20 one of the parties separately, definitely

21 separately, and at different stages. But, yes.

22 Q   And, of course, that would have included Staff

23 and OPC?

24 A   It absolutely did.

25 Q   You also had some questions about a statement

1   in my opening presentation.

2   Do you recall that I said: If the Company

3   earns revenue above this offset, the Commission's

4   traditional ratemaking processes will still apply,

5   required Evergy to reimburse customers in the event

6   it exceeds its authorized rate of return?

7   A   Yes.

8   Q   Now, traditional ratemaking processes, are you

9   aware that that could include the Company filing

10 surveillance reports to evaluate over earnings?

11 A   Yes.

12 Q   And could other parties file an over-earnings

13 complaint if there was a surveillance report

14 indicating an over earnings?

15 A   Absolutely.

16 Q   So in response to questions you received from

17 OPC and Staff, you certainly weren't advocating for

18 any retroactive ratemaking or the like, were you?

19 A   No.

20   MR. CLIZER: Yeah, I'm going to object

21 again. I believe he's attempting -- I believe the

22 witness is actually being solicited to change their

23 testimony at this point. They said very clearly

24 what they said on the record.

25   REGULATORY LAW JUDGE WALKER: Sustained.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   MS. WHIPPLE: I'm -- what is the

 2   objection?

 3   MR. CLIZER: You're soliciting that he

 4   change his testimony at this point.

 5   MS. WHIPPLE: I disagree, Your Honor. Oh,

 6   leading? All right.

 7   BY MS. WHIPPLE:

 8   Q   Do you advocate for retroactive ratemaking, Mr.

 9   Gunn?

10   A   No.

11   MADAM COURT REPORTER: I just want to say

12   real quick, I think the Judge's mic is off. I

13   think --

14   REGULATORY LAW JUDGE WALKER: Sorry.

15   MADAM COURT REPORTER: Okay, thank you. I

16   think you said sustained and then --

17   REGULATORY LAW JUDGE WALKER: I said

18   sustained and then I said leading.

19   MADAM COURT REPORTER: Okay, thank you.

20   You can go ahead.

21   MS. WHIPPLE: Did the court reporter hear

22   the answer to the last question?

23   MADAM COURT REPORTER: I think you were --

24   let's see, I think you were in the middle of your

25   question. He can go ahead and answer again if you

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   would.

2   BY MS. WHIPPLE:

3   Q   Mr. Gunn, do you advocate for retroactive

4   ratemaking?

5   A   No.

6   Q   Thank you.

7   MS. WHIPPLE: No further questions at this

8   time.

9   REGULATORY LAW JUDGE WALKER: Does any

10   party have an objection to Mr. Gunn being excused?

11   Mr. Gunn, you may be excused.

12   THE WITNESS: Thank you.

13   REGULATORY LAW JUDGE WALKER: I have on my

14   list the next witness is Jason Klindt who is

15   adopting the testimony of Jeff Martin.

16   Will you raise your right hand? Do you

17   promise to tell the truth, nothing but the truth so

18   help you God?

19   THE WITNESS: So help me God.

20   MR. JASON KLINDT,

21   THE WITNESS HEREINBEFORE NAMED, having

22   been first duly cautioned and sworn to tell the

23   truth testified as follows, to-wit:

24   DIRECT EXAMINATION

25

1　BY MR. BAILEY:

2　Q　　Please state your name.

3　A　　Jason Klindt, K-L-I-N-D-T.

4　Q　　By whom are you employed?

5　A　　Evergy.

6　Q　　What is your position there?

7　A　　I'm the senior director of external affairs.

8　Q　　Are you adopting Jeff Martin's direct testimony

9　in this case on behalf, excuse me, of Evergy

10　Missouri Metro and Evergy Missouri West, which has

11　been marked as Exhibit 102?

12　A　　I am, and I would personally like to thank Jeff

13　Martin for this opportunity.

14　Q　　Do you have any corrections to the adopted

15　direct testimony?

16　A　　No.

17　Q　　If I were to ask you these questions, would

18　your answers be the same set forth in Exhibit 102?

19　A　　Yes.

20　　　　　MR. BAILEY:　Your Honor, I move to admit

21　Exhibit 102, the direct testimony of Jeff Martin.

22　　　　　REGULATORY LAW JUDGE WALKER:　So -- are

23　there any objections?　Hearing none, the testimony

24　will be admitted.

25　[Exhibit 102 admitted.]

888-893-3767　　　　Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com　　Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   MR. BAILEY: Your Honor, I tender the

 2   witness for cross-examination.

 3   REGULATORY LAW JUDGE WALKER: Thank you.

 4   Any cross-examination? Staff?

 5   MR. PRINGLE: And for the record, I don't

 6   think I spelled my name yet for the court reporter,

 7   but this is Travis Pringle, T-R-A-V-I-S,

 8   P-R-I-N-G-L-E, on behalf of Staff, and Staff has no

 9   questions for Mr. Klindt at this time. Thank you,

10   Judge.

11   REGULATORY LAW JUDGE WALKER: Office of

12   Public Counsel?

13   MR. CLIZER: No questions. Thank you.

14   REGULATORY LAW JUDGE WALKER: Are there

15   any questions from the Commissioners? Chair Hahn?

16   COMMISSIONER EXAMINATION

17   BY CHAIR HAHN:

18   Q   Good afternoon.

19   A   Good afternoon, Chair.

20   Q   I think you might have been in the room earlier

21   when I asked Mr. Gunn about transparency around

22   economic development projects. I think there was

23   also discussion that you potentially have provided a

24   response in a DR to Staff about potential projects

25   or queue.

1   Can you talk about that DR and what you

2 provided to Staff?

3 A   Absolutely. Yeah, what I provided was a list

4 of all the projects that we had received at Evergy

5 and where they were, at current status what they're

6 load ramp was, and I think I even provided what the

7 jurisdiction that they were located in by county.

8   We did the project -- rather than provide the

9 economic development project name, we just gave it a

10 project number because that name can some times be

11 out in the public and can jeopardize a project. So

12 we took the extra step of calling it Project 1

13 through whatever it was.

14   So we did provide that information that -- it

15 was exactly what we have, which includes the load,

16 the jurisdiction, the year that they're starting and

17 what their ramp looks like.

18 Q   Okay. And I'm assuming that's not on the

19 record. So I wouldn't have the ability to access

20 that, or do I?

21   MR. HIATT: Your Honor, we can provide

22 that --

23   CHAIR HAHN: Thank you.

24   MR. HIATT: -- during the break.

25   REGULATORY LAW JUDGE WALKER: I'm not sure

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   who said that.

 2   MR. HIATT: Oh, my name is Chandler Hiatt,

 3   C-H-A-N-D-L-E-R, last name H-I-A-T-T. Thank you.

 4   REGULATORY LAW JUDGE WALKER: Thank you.

 5   BY CHAIR HAHN:

 6   Q   Do you think that that request, in using those

 7   more confidential, you know, numbers instead of

 8   project names, is that something that could be

 9   incorporated into your company's annual report?

10   A   I would assume that it is something that could

11   be. I mean, would need some definition around what

12   you're -- you know, exactly what looking for. But,

13   yes, it's something that we can make out if that's

14   the Commission's will.

15   Q   Thank you.

16   REGULATORY LAW JUDGE WALKER: Mr. Hiatt,

17   in order for the Commission to consider this

18   evidence, it must be authenticated by a witness and

19   offered, just a note.

20   Are there any more Commission questions?

21   Okay, hearing none, okay, we will -- are there any

22   cross-examination questions on the basis of

23   Commissioner questions? Ameren Missouri?

24   UNIDENTIFIED FEMALE SPEAKER: No

25   questions.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   REGULATORY LAW JUDGE WALKER: Google?

 2   MR. SCHULTE: No questions, thank you.

 3   REGULATORY LAW JUDGE WALKER: The Data

 4 Center Coalition?

 5   MR. VIJAYKAR: No questions. Thank you.

 6   REGULATORY LAW JUDGE WALKER: Velvet Tech

 7 Services? Sierra Club?

 8   MS. RUBENSTEIN: No questions. Thank you.

 9   REGULATORY LAW JUDGE WALKER: Renew

10 Missouri? Staff of the Missouri Public Service

11 Commission?

12   MR. PRINGLE: Yes, Judge. Thank you.

13   CROSS-EXAMINATION

14 BY MR. PRINGLE:

15 Q   Good afternoon, Mr. Klindt.

16 A   Good afternoon.

17 Q   And do you recall discussing a potential DR

18 response with Chair Hahn earlier?

19 A   Moments ago, yes.

20 Q   And I just want to know, have you had the

21 chance to review the testimony of Staff Witness

22 James Busch?

23 A   No.

24 Q   Do you -- does the DR Number 92 sound about

25 right to the DR that you were discussing with Chair

1 Hahn?

2 A   I would love to tell you that my memories is

3 that good. But I just swore that I would tell the

4 whole truth, and it's not that good.

5 Q   I'll try to get around because it is a

6 confidential DR. The substance of that response did

7 have to do with large load project ramp details,

8 correct?

9 A   What I provided was, essential, an Excel

10 document that randomized -- that had the numbers

11 Project 1, Project 2. It showed load ramp. It

12 showed jurisdiction. Whether that's DR 92 or --

13 otherwise, I could not tell you.

14 Q   That is what I'm looking at with Appendix 2,

15 Schedule 5 to James Busch's confidential testimony.

16 So think -- I think you've confirmed it for me, sir.

17 A   Thank you.

18 Q   Thank you.

19   MR. PRINGLE: And, sorry, I forgot about

20 that part. No further questions, Judge.

21   REGULATORY LAW JUDGE WALKER: Office of

22 Public Counsel?

23   MR. CLIZER: I have no questions.

24   REGULATORY LAW JUDGE WALKER: Redirect by

25 Evergy?

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   REDIRECT EXAMINATION

 2   BY MR. HIATT:

 3   Q   Mr. Klindt, in response to DR 92, did you sign

 4   a verification?

 5   A   I don't remember.

 6   Q   Would you be able to provide written

 7   authentication of the DR in a later response?

 8   A   Yes.

 9   MR. HIATT: No further questions, Your

10   Honor. Thank you.

11   MR. CLIZER: Can I just -- is the

12   testimony that the DR in question is attached to Mr.

13   Busch's testimony? Is that --

14   MR. HIATT: Yes. The DR, I believe, that

15   Chair Hahn and Mr. Klindt were discussing is an

16   appendix under Mr. Busch's testimony.

17   MR. CLIZER: Can I solicit that the

18   parties might later be able to confirm that, and if

19   necessary, that would relieve the need to recall

20   Mr. Klindt and submit the evidence? I mean, if it's

21   already in the record, I think that most parties

22   would be okay with just leaving that be.

23   REGULATORY LAW JUDGE WALKER: Is that fine

24   with Evergy since they are the one that wants to

25   produce the document?

1   MR. HIATT: Yes, that is fine, Your Honor.

2   REGULATORY LAW JUDGE WALKER: All right,

3   we'll do that. Is there any -- are there any

4   objections to Mr. Klindt being excused? Hearing

5   none, you may be excused. The next witness on the

6   list is Derek Brown.

7   MR. BAILEY: The Company calls Derek

8   Brown. For the court reporter, my name is Cole

9   Bailey, C-O-L-E, B-A-I-L-E-Y.

10   REGULATORY LAW JUDGE WALKER: Direct

11   examination -- well, let's swear Mr. Brown in. I

12   mean, he looks pretty honest, but -- do you promise

13   to tell the truth, the whole truth and nothing but

14   the truth so help you God?

15   THE WITNESS: I do.

16   REGULATORY LAW JUDGE WALKER: Evergy, you

17   may proceed.

18   MR. BAILEY: Thank you, Your Honor.

19   DEREK BROWN,

20   THE WITNESS HEREINBEFORE NAMED, having

21   been first duly cautioned and sworn to tell the

22   truth testified as follows, to-wit:

23   DIRECT EXAMINATION

24   BY MR. BAILEY:

25   Q   Mr. Brown, can you, please, state your name and

 1   position?

 2   A   Yes. It's Derek Brown, D-E-R-E-K, B-R-O-W-N.

 3   I'm the director of large customer strategy and

 4   planning at Evergy.

 5   Q   And are you the same Derek Brown the caused to

 6   be filed 14 pages of surrebuttal testimony on

 7   September 12th?

 8   A   Yes.

 9   Q   And if I were to ask you those same questions

10   today, would your answers be the same or

11   substantially the same?

12   A   Yes.

13   MR. BAILEY: I tender the witness for

14   cross-examination, Your Honor.

15   REGULATORY LAW JUDGE WALKER: All right.

16   Staff, do you have any cross-examination?

17   MR. BAILEY: Your Honor, I want to offer

18   up the testimony four Exhibit 103, the surrebuttal

19   of Derek Brown.

20   REGULATORY LAW JUDGE WALKER: Are there

21   any objections to the admission of Mr. Brown's

22   testimony? Hearing none, Exhibit 103 will be

23   admitted.

24   [Exhibit 103 admitted.]

25   REGULATORY LAW JUDGE WALKER: Mr. Pringle,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   you may proceed.

2   MR. PRINGLE: Thank you, Judge.

3   CROSS-EXAMINATION

4   BY MR. PRINGLE:

5   Q   Good afternoon, Mr. Brown.

6   A   Good afternoon.

7   Q   Do you have a copy of your surrebuttal up there

8   with you? I think it's Exhibit 103?

9   A   I do.

10 Q   Could you, please, turn to page 2, lines 12 to

11 14. Let me know when you're there.

12 A   Yes.

13 Q   And do you see where you state you are familiar

14 with the tariff requirements of the, quote, National

15 Energy Reliability Corporation, NERC, end quote?

16 A   Yes. That's correct.

17 Q   And just to clarify, is that reference of NERC,

18 is that the same as the North American Electric

19 Reliability Corporation?

20 A   Yes. That's correct.

21 Q   And you are familiar with the North American

22 Electric Reliability Corporation?

23 A   That's correct.

24 Q   Are you aware of the North American Electrical

25 Reliability Corporation, or NERC, disseminating

1 information to the industry through e-mail based

2 NERC alerts?

3 A   Yes.

4 Q   And certain situations, NERC requires

5 acknowledgment of receipt of its alerts, correct?

6 A   That's my understanding, yes.

7 Q   Is Evergy, Inc., a registered entity with NERC?

8 A   That's my understanding, yes, we are.

9 Q   And do you understand that registered entities

10 are registered with NERC under specific functions?

11 A   That's correct.

12 Q   Is Evergy, Inc., registered with NERC as a

13 transmission owner, transmission operator,

14 transmission planner and resource planner among

15 other functions?

16 A   I'm aware, yes, of several of those that you

17 listed.

18 Q   All right, thank you, Mr. Brown.

19   MR. PRINGLE: Judge, at this time, I'd

20 like to mark a Staff exhibit. I guess this would be

21 Staff Exhibit 209 and ask the witness a couple of

22 questions about it.

23   My colleague, Ms. Klaus, has copies for

24 the room. This is the North American Electric

25 Reliability Corporation's industry recommendation,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 large load interconnection study, commissioning and

2 operations. And the initial distribution date on

3 this exhibit is September 9th, 2025.

4   REGULATORY LAW JUDGE WALKER: Okay. This

5 exhibit will be marked 209. Are there any

6 objections to its admission? Hearing none, the

7 exhibit will be admitted.

8 [Exhibit 209 admitted.]

9   MR. BAILEY: I'm going to object, Your

10 Honor. We need to -- for this to be on, he -- our

11 witness has never seen this or read it. It appears

12 to be 15 pages, 16 pages. He would need to lay a

13 foundation.

14   MR. PRINGLE: As the witness has

15 previously said, he is familiar with NERC, the

16 functions of NERC and the alerts that go out via

17 NERC.

18   This ties in with all of that. I believe

19 the foundation has been laid, Judge, and also --

20 well, permission to approach the witness to hand him

21 a copy of this as well.

22   REGULATORY LAW JUDGE WALKER: Please do.

23 And while you're at it, why don't you ask him if

24 he's read it.

25

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 BY MR. PRINGLE:

2 Q   And Mr. Brown, have you seen this NERC alert

3 before?

4 A   I saw that it was published, if you're

5 referring to this industry recommendation.

6 Q   Yes.

7 A   And however, I've not read it in detail.

8 Q   All right. Well, really the emphasis that I'm

9 looking at will have to do with page 1 and page 8.

10 If you'd like to take a moment to review those

11 pages, I'm happy to wait.

12   REGULATORY LAW JUDGE WALKER: I'm going to

13 hold the admission of the exhibit until a proper

14 foundation has been laid for it. It doesn't appear

15 this witness can do that.

16 BY MR. PRINGLE:

17 Q   Well, Mr. Brown, you are aware of the North

18 American Electric Reliability Corporation, correct?

19 A   That's correct. However, I haven't read this.

20 Q   Have you had any interaction with NERC alerts

21 in the past?

22 A   In the past, yes, but not on this particular

23 topic.

24 Q   So what is the purpose of a NERC alert?

25 A   Generally speaking, it is when -- and, again,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 this is summarizing. My own experience is that it's

2 when there's a sufficient level of cause to -- for

3 NERC to reach out to particular registered entities

4 to take some kind of action. I mean, that's broadly

5 speaking what it's used for.

6 Q   And if a registered entity receives a NERC

7 alert, do they have to respond to it?

8 A   My understanding is, generally, yes.

9 Q   So if this is a NERC alert and Evergy is a

10 registered entity with NERC, this is an alert that

11 Evergy would have to respond to?

12 A   That is correct.

13 Q   And what role do you play in guiding Evergy's

14 response to NERC alerts?

15 A   So depending on the topic, broadly speaking, if

16 I am a subject-matter expert in the particular topic

17 of the NERC alert, then I will help guide or

18 facilitate where to get the information, if it is an

19 information request, in order to submit it to NERC.

20 Q   And your testimony in this matter was providing

21 support for Evergy's large load power service

22 tariffs?

23 A   That's correct.

24 Q   And, again, this study is titled: Large Load

25 Interconnection Study Commissioning and Operations,"

1   correct?

2   A   That is what I see the title is, yes.

3   MR. PRINGLE: Well, Judge, I'd move, once

4   again, to enter this exhibit on the record.

5   MR. BAILEY: I'm going to object -- renew

6   the objection. No foundation.

7   REGULATORY LAW JUDGE WALKER: I agree with

8   the objection.

9   Do you have a witness later that you can

10 admit this document, who can authenticate it?

11   MR. PRINGLE: We have Staff witnesses who

12 have reviewed this document as well due to the NERC

13 alerts going out to -- well, Staff also receives

14 these alerts and reviews them.

15   REGULATORY LAW JUDGE WALKER: Okay. You

16 may ask questions about this, and we'll admit it as

17 an exhibit when you produce a witness who has seen

18 it and is familiar with it.

19   MR. PRINGLE: All right. Thank you very

20 much, Judge.

21 BY MR. PRINGLE:

22 Q   All right, so Mr. Brown, looking at page 1 of

23 this alert, and I'm looking at the second full

24 paragraph in red. Do you see that?

25 A   Yes.

 1 Q   And am I correct that this states that (as

 2 read,) NERC --

 3   MR. BAILEY: Objection, Your Honor. Did

 4 you say he could ask my witness these questions

 5 before authenticating it?

 6   REGULATORY LAW JUDGE WALKER: Absolutely.

 7   MR. BAILEY: Okay.

 8 BY MR. PRINGLE:

 9 Q   It states that (as read,) NERC regional

10 entities and NERC registered entities have analyzed

11 a series of disturbances that occurred on the bulk

12 power system, I have it shortened as BTS, resulting

13 in widespread and unexpected customer initiated load

14 reduction of large loads. Did I read that

15 correctly?

16 A   Yes.

17 Q   And that it further states disturbances --

18 first, it further states, quote, disturbances

19 involved multiple events during which 1,000-plus

20 megawatts of unexpected large loads output reduction

21 occurred and the increase of large load related

22 events coincide with an increase in large load

23 penetration across the bulk power system. Did I

24 read that correctly?

25 A   Yes.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Q   And further on this page, now I'm looking at

2   the third paragraph in red, it also states (as

3   read,) To better understand the reliability impacts

4   of emerging large loads on the BPS, NERC established

5   the large loads task force on August 2024. And in

6   July 2025, NERC published a white paper titled

7   "Characteristics and Risks of Emerging Large Loads."

8   Do you see that?

9   A   I do.

10 Q   Would you agree this alert includes certain

11 recommendations for NERC players based on their

12 functions?

13 A   Yeah, I haven't seen the details. So I don't

14 know if I can confirm that without looking at it.

15 Q   Would it be common practice for such alerts to

16 describe multiple functions?

17 A   Elaborate on multiple functions again.

18 Q   For example, we'll go ahead and discuss the

19 functions as a transmission owner or resource

20 planner, et cetera?

21 A   Yes. So, yeah, as far as the NERC registered

22 entity aspect, yes.

23 Q   All right. And now I'm looking at page 8 of

24 this document. And just let me know when you're

25 there.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 A   I'm there.

2 Q   And do you see how it says, reporting

3 instructions?

4 A   Yes.

5 Q   And I think earlier we did discuss -- I think

6 you said you were aware of this alert when it was

7 issued on September 9th, correct?

8 A   Yes.

9 Q   And has Evergy responded to this alert yet?

10 A   To my knowledge, we have not.

11 Q   Would Evergy be willing to provide it's

12 responses to this alert to the Commission?

13 A   Subject to it being relevant to this proceeding

14 and so ordered, I would think so.

15 Q   All right. Well, Mr. Brown, that is all I have

16 for you on this document. Thank you, sir.

17   REGULATORY LAW JUDGE WALKER: Do you have

18 any further questions, Mr. Pringle?

19   MR. PRINGLE: Nothing further from Staff

20 this time, Judge Walker. Thank you for your time,

21 Mr. Brown.

22   REGULATORY LAW JUDGE WALKER: The Office

23 of Public Counsel?

24   MR. CLIZER: No questions. Thank you.

25   REGULATORY LAW JUDGE WALKER: Questions

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 from the Commissioners? Chair Hahn?

2   COMMISSIONER EXAMINATION

3 BY CHAIR HAHN:

4 Q   Afternoon, Mr. Brown.

5 A   Good afternoon, Chair.

6 Q   I'm going to ask you about two different items

7 because of your familiarity with SPP.

8   The first item is Staff has proposed that each

9 LLPS customer beyond their own pricing node, and the

10 response to that is that it would result in highly

11 volatile rates.

12   Can you explain that response, how that would

13 work in practice and the potential impacts of doing

14 that.

15 A   Sure, yeah. As I kind of out in my testimony,

16 the desegregation of customers from an aggregate

17 load poses risks to both existing customers and the

18 customer you pull out.

19   Fundamentally, because the transmission service

20 functional model that SPP uses is sold on an

21 aggregate basis. So as a pool of resources, it's

22 sold to all load.

23   And then we go to the integrated marketplace.

24 It is dispatched on an aggregate basis as well. So

25 every customer has, in essence, paid for that

1 transmission service through their applicable cost

2 share. And then they get the benefit of it by

3 having each of those resources dispatched to them.

4   So fundamentally, if you separate those out,

5 then you have to slice and dice which resource goes

6 with which customer. When in actuality, all

7 customers have paid for that service and that

8 protection. Doesn't make sense? And that's

9 specific to my congestion hedging comments in my

10 testimony.

11 Q   Thank you. The second one is actually

12 something brought up by OPC, which is requiring a

13 mandatory emergency curtailment future to which I

14 think Evergy's response is, we already have that

15 thought for critical infrastructure hospitals, et

16 cetera.

17 A   Yes. Yeah, that's true, Chair Hahn. And as,

18 you know, default is that all customers are the same

19 subject to further delineation, in terms of

20 responding to emergency events.

21   If a large customer had a desire and the

22 Company had a desire for them to be a demand

23 response resource to support the grid, then that's

24 something that we would work out on an

25 individual-bilateral basis.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Q   Okay. Do you foresee an opportunity in the

2 future where potentially a large load would sign up

3 for service that could be curtailed?

4 A   I do. That is one of the concepts that's

5 proposed by the Southwest Power Pool. That's been

6 explored and currently being explored.

7   That's the CHILL product, conditional high

8 impact large load. So -- and that -- from that

9 standpoint, those loads and concept would have

10 offered themselves up to be curtailed during certain

11 operating events on the system.

12 Q   To your knowledge, was SPP also working on

13 demand response frameworks that require -- would

14 require you to curtail certain loads in the event

15 that SPP had a resource adequacy concern or they hit

16 conservative operations?

17 A   Yes. Yeah, that's certainly the incidents that

18 I described with CHILL, conservative operations or

19 emergency energy alerts. Those would be the ones

20 that would be hit first.

21 Q   Okay. Thank you.

22   REGULATORY LAW JUDGE WALKER: Any more

23 Commission questions? Okay, hearing none, we'll go

24 to recross the Commission questions. Ameren

25 Missouri?

```
 1              MR. LOWERY:  This is Jim Lowery.  No

 2   questions.

 3              REGULATORY LAW JUDGE WALKER:  Liberty?

 4   Oh, they're not here.  Google?

 5              MR. SCHULTE:  No questions.  Thank you.

 6              REGULATORY LAW JUDGE WALKER:  The Data

 7   Center Coalition?

 8              MR. VIJAYKAR:  No questions, Your Honor,

 9   thank you.

10              REGULATORY LAW JUDGE WALKER:  Velvet Tech

11   Services?  Sierra Club?

12              MS. RUBENSTEIN:  No questions.  Thank you.

13              REGULATORY LAW JUDGE WALKER:  Renew

14   Missouri?  Staff of the Missouri Public Service

15   Commission?

16              MR. PRINGLE:  No questions, Judge.  Thank

17   you.

18              REGULATORY LAW JUDGE WALKER:  Office of

19   the Public Counsel?

20              MR. CLIZER:  No questions.  Thank you.

21              REGULATORY LAW JUDGE WALKER:  We'll move

22   to redirect.

23              MR. BAILEY:  Yes, Your Honor, just a few.

24                   REDIRECT EXAMINATION

25
```

1 BY MR. BAILEY:

2 Q   Mr. Brown, has the -- you were talking about

3 the commercial pricing nodes with the Chair.

4   What is the latest on the commercial pricing

5 nodes and CHILLs? Is there a latest update?

6 A   Yes. So the CHILLs product I mentioned -- just

7 background, the committee structure at the Southwest

8 Power Pool has a primary working group who has

9 charge over the product.

10   So the market working group considered the

11 CHILLs product last week for a vote. It did have a

12 aspect of separate pricing nodes for those CHILLs

13 customers.

14   At the meeting, that particular proposal for

15 CHILLs was rejected. So that's the bit of

16 information that I wanted to share there.

17   MR. BAILEY: And, Your Honor, I've got the

18 SPP vote minutes here -- well, not the minutes but

19 the vote that he's talking about on the revision

20 request for CHILLs. I'd like to offer it as Exhibit

21 107.

22   REGULATORY LAW JUDGE WALKER: Is this on

23 your exhibit list? Okay. I'm going to ask if

24 there's any objections to taking administrative

25 notice of the summary of motions and action items

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   for Southwest Power Pool.

 2   MR. CLIZER: I'm sorry, are we taking

 3   administrative notice or treating it as an exhibit?

 4   REGULATORY LAW JUDGE WALKER: We're

 5   marking it as an exhibit. And for the purposes of

 6   taking administrative notice, do you have any

 7   objection to it being admitted?

 8   Hearing no objections, it will be marked

 9   Exhibit 107 and admitted.

10   [Exhibit 107 admitted.]

11   BY MR. BAILEY:

12   Q   Mr. Brown, can you explain what RR 720 is, the

13   CHILLs vote?

14   A   Yes. So SPP Revision Request 720, that's what

15   Gen Item 7 refers to. That is the packet of a

16   revision request to add the CHILLs product to the

17   SPP tariff and operating protocols.

18   So this agenda item was what was on the market

19   working group agenda for potential approval and what

20   they ultimately took action on and rejected.

21   Q   Thank you. No further questions.

22   REGULATORY LAW JUDGE WALKER: Are there

23   any objections to this witness being finally

24   excused? Hearing none, Mr. Brown, you're excused.

25   THE WITNESS: Thank you, Your Honor.

1   REGULATORY LAW JUDGE WALKER: The next

2   witness I have is Bradley D. Lutz.

3   MADAM COURT REPORTER: Your Honor, do you

4   mind if I take a five-minute break? This is the

5   court reporter.

6   REGULATORY LAW JUDGE WALKER: We'll go

7   ahead and take a 10 minute break.

8   MADAM COURT REPORTER: Okay. I appreciate

9   that.

10   [Break at 1:57 p.m. until 2:11 p.m.]

11   REGULATORY LAW JUDGE WALKER: Do you swear

12   to tell the truth, the whole truth and nothing but

13   the truth so help you God?

14   THE WITNESS: I do.

15   REGULATORY LAW JUDGE WALKER: Okay. You

16   may begin.

17   MR. FISCHER: Thank you, Judge.

18   BRADLEY D. LUTZ,

19   THE WITNESS HEREINBEFORE NAMED, having

20   been first duly cautioned and sworn to tell the

21   truth testified as follows, to-wit:

22   DIRECT EXAMINATION

23   BY MR. FISCHER:

24   Q   Please, state your name for the record.

25   A   My name is Brad Lutz, B-R-A-D, L-U-T-Z.

1   Q   Are you the same Brad Lutz that caused to be

2   filed in this case two pieces of testimony in

3   direct, which I've marked -- has been marked as

4   Exhibit 101 and surrebuttal, which has been marked

5   as 105?

6   A   Yes, I did.

7   Q   Do you have any changes or corrections that

8   need to be made to either of those pieces of

9   testimony?

10 A   I do not.

11 Q   Mr. Lutz, if I ask you the questions that are

12 contained in those written testimonies, would your

13 answers be the same and are they true and accurate

14 to the best of your knowledge and belief?

15 A   They would, yes.

16   MR. FISCHER: Judge, at this time, I would

17 move for the admission of Exhibit 101 and 105 and

18 tender the witness for cross.

19   REGULATORY LAW JUDGE WALKER: Let's take

20 the exhibits one at a time. Can you identify them?

21   MR. FISCHER: Yes. Direct is 101. That's

22 direct testimony of Bradley D. Lutz.

23   REGULATORY LAW JUDGE WALKER: Are there

24 any objections to the admission of the testimony of

25 Mr. Lutz? Hearing none, it will be admitted.

1   [Exhibit 101 admitted.]

2   MR. FISCHER: And then does that cover the

3   surrebuttal, too? That's 105. It's the --

4   identified as the surrebuttal testimony of Bradley

5   D. Lutz.

6   REGULATORY LAW JUDGE WALKER: Are there

7   any objections to the admission of Exhibit 105, the

8   surrebuttal testimony of Bradley Lutz? Hearing

9   none, it will be admitted.

10   [Exhibit 105 admitted.]

11   MR. FISCHER: I tender the witness for

12   cross.

13   MADAM COURT REPORTER: This is the court

14   reporter. Can I get a reminder of who --

15   MR. FISCHER: I'm James Fischer. I'm

16   sorry. F-I-S-C-H-E-R.

17   MADAM COURT REPORTER: Thank you so much,

18   Mr. Fischer.

19   MR. FISCHER: I apologize.

20   REGULATORY LAW JUDGE WALKER: Cross-examin

21   ation? Staff, do you have any questions?

22   MS. KLAUS: Alexandra Klaus on behalf of

23   Staff. No questions. Thank you, Judge.

24   REGULATORY LAW JUDGE WALKER: The Office

25   of Public Counsel?

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   MR. CLIZER: No questions, thank you.

2   REGULATORY LAW JUDGE WALKER: Are there

3   questions by the Commissioners?

4   CHAIR HAHN: Yes.

5   REGULATORY LAW JUDGE WALKER: Chair Hahn?

6   COMMISSIONER EXAMINATION

7   BY CHAIR HAHN:

8   Q   Mr. Lutz, earlier I had asked Mr. Gunn about

9   the Green Solution Connections Program or generally

10   about the writers in the proposed stipulation.

11   Through that program or that writer, would any

12   new additional generation be completely paid for by

13   the subscribers of that program?

14   A   No. All of the renewable programs that we

15   offer, the Renew, the alternate energy credit and

16   the Green Solutions are rec programs. So they're

17   only dealing with the attributes, the green

18   attributes, of those programs, not the resources

19   themselves.

20   So to differentiate the Green Solutions from

21   Renew, for example, Renew uses historical and maybe

22   even market-based recs to fulfill those

23   subscriptions.

24   Under Green Solutions, those are associated

25   with a specific resource that the Company is

1 building. Some customers are very particular about

2 location and issues called additionality to know

3 that those are new -- new recs being built as

4 opposed to legacy historic recs.

5   So the Green Solution program offers a

6 different category of renewable attributes than the

7 others.

8 Q   Okay. And as far as -- are there any

9 differences between these program offerings and

10 those offered in the Kansas stipulation and

11 agreement?

12 A   For the renewable programs, no. Yes, they are

13 the same.

14 Q   Okay. So they would be the same across the

15 footprint?

16 A   Yes. Yes, they would be. Yes.

17 Q   Okay. In the settlement negotiations and

18 getting to -- was Evergy able to understand Staff's

19 position or modification of any of these programs to

20 meet Staff's requirements or --

21   When I read through Staff's recommendations for

22 these programs, they didn't recommend any of them,

23 some of them with modification.

24   I understand now that if they were modified,

25 they would be different than what was offered in

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   Kansas.

 2   But in trying to meet Staff's request, were

 3   they able -- were you able to find any middle ground

 4   on any of these programs?

 5   A   I believe that my formal testimony is no. And

 6   I think that that's -- I hesitate because I hate to

 7   close the door entirely on those particular

 8   programs, given that they are largely extensions of

 9   the large load power service plan.

10   There are things that the customers spoke

11   strongly about wanting to be part of our designs.

12   So we feel that they're critical, but I would also

13   have to believe there could be some room for some

14   accommodation.

15   But for the points that were highlighted in

16   Staff's testimony, we felt that our position was the

17   correct way to go.

18   Q   Okay, thank you.

19   CHAIR HAHN: I don't have any questions.

20   REGULATORY LAW JUDGE WALKER: Are there

21   any more questions? Okay, hearing none, we'll go to

22   recross after Commission questions. Ameren

23   Missouri?

24   MR. LOWERY: Jim Lowery. No questions,

25   Judge. Thank you.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   REGULATORY LAW JUDGE WALKER: Google?

 2   MR. SCHULTE: No questions. Thank you.

 3   REGULATORY LAW JUDGE WALKER: Data Center

 4   Coalition?

 5   MR. VIJAYKAR: No questions. Thank you,

 6   Your Honor.

 7   REGULATORY LAW JUDGE WALKER: Nucor Steel?

 8   Velvet Tech Services? Sierra Club?

 9   MS. RUBENSTEIN: No questions. Thank you.

10   REGULATORY LAW JUDGE WALKER: Renew

11   Missouri?

12   MS. MERS: (Inaudible.) Thank you.

13   REGULATORY LAW JUDGE WALKER: Staff of the

14   Missouri Public Service Commission?

15   MS. KLAUS: Briefly. Thank you, Judge.

16   CROSS-EXAMINATION

17   BY MS. KLAUS:

18   Q   Good afternoon.

19   A   Good afternoon.

20   Q   The Chair had asked you about certain Green

21   Solution Connection Program writers proposed in the

22   stipulation. Do you recall that?

23   A   I do.

24   Q   Can you tell me, is Evergy actively building a

25   resource for use in the Green Solution Connection

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Program for EMM?

2 A   I do not believe that those are on the chart

3 yet. I think everything's been for Missouri West

4 through the CCN process.

5 Q   So is that saying that any resource that is

6 being built for the Green Solution Connection

7 Program wouldn't show in capacity filed in this

8 case?

9 A   Clarify --

10 Q   You were trying to tell me that something

11 wasn't being shown in this case having to do with

12 the resource being built with the Green Solution for

13 EMM?

14 A   No. I'm just saying that our integrated

15 resource planning had not identified resources to be

16 built for Missouri Metro. So those aren't yet

17 available to be available in the Green Solutions

18 Program. There has to be a resource first in order

19 for the attributes to be available.

20 Q   I think I got now. Thanks for hanging with me

21 there.

22   And one more quick one, there was a stipulation

23 and agreement for E and W, with respect to the Green

24 Solution Connection writer or program in that case?

25 A   Correct. And this would be a mirror image of

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   that.

 2   Q   No further questions. Thank you.

 3   A   You bet.

 4   Q   Thank you for your time today.

 5   REGULATORY LAW JUDGE WALKER: Recross the

 6   Office of Public Counsel?

 7   MR. CLIZER: No questions. Thank you.

 8   REGULATORY LAW JUDGE WALKER: Redirect,

 9   Evergy?

10   MR. FISCHER: Thank you, Judge.

11   REDIRECT EXAMINATION

12   BY MR. FISCHER:

13   Q   In your conversations with the Chair, I think

14   you said that the customers spoke strongly about the

15   writers.

16   Do you recall that exchange?

17   A   I do.

18   Q   Well, what did you mean by that?

19   A   Yes, going back to the beginning when large

20   load was first considered, we were, at the time, had

21   been working with both Velvet and Google coming out

22   of the MKT filings that we did I think around 2019.

23   And as we built on those relationships, that's

24   when they brought forward many of these thoughts or

25   concerns around best features of programs and having

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   some kind of renewable option was part and parcel to

2   what they thought was a good portfolio of solutions

3   that we might consider.

4   Q   Did you have similar discussions about all of

5   the writers with your large customer group?

6   A   Yes. The interactions with the large customers

7   that we currently interact with were instrumental in

8   shaping our large load rate plan.

9   Q   And did you come away with an opinion about

10 whether those are important or not to customers?

11 A   Yes. And that's why we brought them forward

12 believing them to be important to those customers.

13 Q   In your discussions with Staff counsel, you

14 said something was just a mirror image.

15 A   Yes.

16 Q   Would you explain which company has the

17 approval and which one you're asking for approval

18 for in this case?

19 A   Yeah, correct. The Green Solutions Program,

20 itself, was brought forward, initially, under CCN

21 filing in the Missouri West cases and was part of a

22 stipulated settlement there.

23   So this program that we brought forward here is

24 just identical to the one that was already in the

25 Missouri West filing.

1 Q   And it was approved by the Commission, is that

2 correct?

3 A   I believe so, yes.

4 Q   Okay.

5   MR. FISCHER: That's all I have, Judge.

6 Thank you.

7   REGULATORY LAW JUDGE WALKER: Does anyone

8 have an objection to this witness being excused?

9 Thank you, Mr. Lutz.

10   THE WITNESS: You're welcome.

11   REGULATORY LAW JUDGE WALKER: All right, I

12 have next Staff, Jim Busch.

13   MR. PRINGLE: Yes, Judge. And this is

14 Travis Pringle speaking. We might do a little

15 musical chair for attorneys right now, but we'll be

16 getting ready in a minute.

17   REGULATORY LAW JUDGE WALKER: Mr. Busch,

18 can you raise your right hand? Do you swear to tell

19 the truth, the whole truth and nothing but the truth

20 so help you God?

21   THE WITNESS: I do.

22   REGULATORY LAW JUDGE WALKER: You may be

23 seated. Mr. Pringle, Ms. Hansen, you may begin when

24 you're ready.

25   MS. HANSEN: All right. This is Andrea

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1 Hansen for Commission Staff.

 2   JAMES BUSCH,

 3   THE WITNESS HEREINBEFORE NAMED, having

 4 been first duly cautioned and sworn to tell the

 5 truth testified as follows, to-wit:

 6   DIRECT EXAMINATION

 7 BY MS. HANSEN:

 8 Q   Mr. Busch, please, state and spell your name

 9 for the record.

10 A   My name is James Busch. Busch is spelled

11 B-U-S-C-H.

12 Q   By whom are you employed and in what capacity?

13 A   I'm employed by the Missouri Public Service

14 Commission, and I am currently the director of the

15 industry analysis division.

16 Q   Did you prepare rebuttal testimony in this

17 case, which has been previously marked as

18 Exhibit 200?

19 A   Yes.

20 Q   At this time, do you have any corrections to

21 make to Exhibit 200?

22 A   Yes. I have one typo that was on page 8, line

23 6, and a quote from Mr. Gunn's testimony at the very

24 end of line 6, it says, "Utilities across the

25 county." I believe it was utilities across the

1 country.

2 Q   Thank you very much. If I asked you the same

3 questions today within Exhibit 200, would your

4 answers be the same or substantially similar?

5 A   They would.

6 Q   Are those answers true and correct to the best

7 of your knowledge and belief?

8 A   They are.

9 Q   All right. Thank you.

10   MS. HANSEN: At this time, I offer

11 Exhibit 200, the public version, into the record.

12 It is the rebuttal testimony of Mr. James Busch.

13   REGULATORY LAW JUDGE WALKER: Thank you.

14 Are there any objections to the admission of the

15 rebuttal testimony of James Busch? Hearing none, it

16 will be admitted.

17 [Exhibit 200 admitted.]

18 BY MS. HANSEN:

19 Q   All right, Mr. Busch. And before I turn you

20 over to -- for cross-examination, I do have two

21 questions for you. And this is from Mr. Gunn's

22 testimony in support of the stipulation agreement.

23   All right, so first question for you, on page 2

24 lines 10 through 13, Mr. Gunn states (as read,)

25 Notably, the stipulation and agreement is supported

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 by a diverse range of stakeholders who collectively

2 bring forward multiple viewpoints and perspectives,

3 all of which are reflected in the negotiated

4 stipulation and agreement.

5   Do you agree with that statement?

6   MR. FISCHER: Judge, I think I should

7 interpose an objection. I may have misunderstood

8 the Court's -- the Judge -- the Commission's ruling

9 earlier, but I understood Staff has filed written

10 testimony in support of the -- or in opposition to

11 the testimony that we filed in support of the

12 stipulation and agreement. And I believe it's

13 inappropriate to have live, additional support of

14 that at this time. And that seems to be where this

15 question is going.

16   REGULATORY LAW JUDGE WALKER: Overruled.

17 A   No, I do not quite agree with that statement.

18 BY MS. HANSEN:

19 Q   Thank you very much. All right, I'm going to

20 refer you to page 6, lines 4 through 8 of that same

21 testimony.

22   It states (as read,) We initiated settlement

23 discussions in earnest after rebuttal testimony was

24 filed and engaged through the course of multiple

25 settlement discussions. All parties had an

1 opportunity to participate in settlement

2 discussions, either directly with the Company or

3 with the broad group of interveners at various

4 points.

5   Was Staff invited to these settlement

6 discussions?

7 A   As Mr. Gunn pointed out earlier this afternoon,

8 he had reached out -- he reached out to me on

9 September 19th about potential -- the settlement

10 that was going to potentially occur on the 23rd on

11 Tuesday.

12   But it was my understanding that there were

13 previous settlement negotiations with all the other

14 parties, excluding Staff, that we were not invited

15 to that I found out from another party.

16   So I take a little umbrage with that statement

17 because I don't believe that Staff was invited to

18 all of the settlement negotiations, and I think

19 that's where the basic framework for the

20 stipulation, based upon the Kansas stipulation, was

21 discussed in those conversations that Staff was not

22 invited for to my recollection.

23 Q   Thank you very much, Mr. Busch.

24   MS. HANSEN: I now turn over Mr. Busch for

25 cross-examination.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   REGULATORY LAW JUDGE WALKER: The Office

 2   of Public Counsel?

 3   MR. CLIZER: No questions. Thank you,

 4   Your Honor.

 5   REGULATORY LAW JUDGE WALKER: Commission

 6   questions? Chair Hahn?

 7   COMMISSION EXAMINATION

 8   BY CHAIR HAHN:

 9   Q   Good afternoon.

10   MR. FISCHER: Judge, shouldn't there be

11   cross-examination from the parties first?

12   REGULATORY LAW JUDGE WALKER: I don't

13   know. What do you guys think?

14   THE WITNESS: Do I get a vote?

15   REGULATORY LAW JUDGE WALKER: You're the

16   only guy without a vote. Nucor Steel? It is on.

17   Velvet Tech Services? Data Center Coalition?

18   MR. VIJAYKAR: No questions, Your Honor.

19   THE REGULATORY LAW JUDGE WALKER: Google?

20   MR. SCHULTE: No questions.

21   THE REGULATORY LAW JUDGE WALKER: Sierra

22   Club?

23   MS. RUBENSTEIN: No questions. Thank you.

24   REGULATORY LAW JUDGE WALKER: Renew

25   Missouri? Ameren Missouri?

 1   MR. LOWERY: Yes, Your Honor. This is Jim

 2   Lowery, by the way.

 3   CROSS-EXAMINATION

 4   BY MR. LOWERY:

 5   Q   Good afternoon, Mr. Busch, how are you?

 6   A   I'm doing well, sir. How are you doing?

 7   Q   I'm doing fine. Focusing on Staff's -- let me

 8   just get some definitional things out of the way.

 9   When I say Staff's proposed tariff or Staff's

10   proposal, I'm going to be referring to, essentially,

11   the tariff structure, and there's actually an entire

12   tariff filed, with Staff's rebuttal report back in

13   late July. You know what I'm talking about there,

14   right?

15   A   Yes.

16   Q   And I guess that proposal has been somewhat

17   modified by Ms. Lange's surrebuttal testimony. So

18   if I refer to Staff's proposal, I guess you can

19   assume, unless I specify, that I'm talking about it

20   as -- as it's been modified by Ms. Lange's

21   surrebuttal testimony, is that fair?

22   A   I understand. I also understand that my -- I

23   was at the 30,000-foot view. So if you're getting

24   into the weeds and the details, I will have to defer

25   to my other Staff expert.

1 Q   Well, we'll see what you know or what you don't

2 know. How about that?

3 A   Sounds good.

4 Q   Did Staff seek input on its proposed -- on

5 Staff's proposal -- on Staff's proposed tariff, did

6 staff seek input on that proposal with perspective

7 large load customers, like Meta or Google who are

8 already building data centers in the KC area, before

9 it was proposed in Evergy's case in July?

10 A   I am not aware that Staff made any contacts

11 with any large data center customer.

12 Q   So the answer to my question is no?

13 A   I believe it's no, to my knowledge.

14 Q   And it, obviously, didn't seek -- and based on

15 that answer, didn't seek any input from the Data

16 Center Coalition, Amazon, any other large load

17 customer to your knowledge, right?

18 A   To my knowledge, no.

19 Q   Did Staff seek input on the basic Staff large

20 load customer proposal that's reflected in this case

21 and Ameren Missouri's case in that it attempted to

22 inject into Liberty's pending rate case with any of

23 those three utilities before it proposed in the

24 Evergy's case?

25 A   I believe that Evergy, as was noted earlier

1 today, provided an outline for what their proposal's

2 going to be.

3   I know that Staff provided redline versions and

4 comments back to that, as was discussed earlier

5 today. So I think that there was some discussion

6 with, you know, Evergy at some point.

7   But I think that would probably be the limit of

8 those discussions.

9 Q   Well, just to clarify, Staff may have provided

10 some comments on Evergy's proposal that Evergy

11 vetted with Staff somewhat, I don't know to what

12 extent, before Evergy filed it's case.

13   But Staff didn't come to Evergy and say here's

14 a proposed tariff. Can you give me your input on

15 it, did it?

16 A   I don't believe it did.

17 Q   So Staff's proposal was not informed by input

18 from any perspective large load customers nor was it

19 informed by input from any Missouri electric

20 utilities, isn't that fair?

21 A   Well, I think that Staff's proposal was

22 informed by the years of experience that Staff

23 experts have had with utilities working with other

24 large customers, like the MKT, the SIL tariff.

25   So it's not like we did this in a vacuum.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 Staff has experts who have years of experience in

2 developing tariffs and working through tariffs, and

3 I think those were instrumental in the development

4 of the tariff that you see before the Commission

5 today.

6 Q   That's all well and good, but can you answer my

7 question? Staff's proposed tariff filed in the

8 Evergy case in late July, those terms and

9 conditions, that structure, those rates was not

10 informed by any actual input from any large load

11 customer?

12   You didn't go to the customers and say, here's

13 what we're going to propose or we're thinking about

14 it. Would you give me some input?

15   And you didn't go to the utilities and say,

16 here's what we're thinking about proposing. Can you

17 give me some inputs?

18   That didn't happen, did it?

19 A   Other than the back and forth with Evergy

20 earlier, I would -- I think that's a fair

21 assessment.

22 Q   Other than among the Staff itself, from whom,

23 if anyone, did Staff receive input on the basic

24 structure of the Staff tariff proposal before Staff

25 proposed it?

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   A   You might want to also talk with Ms. Lange, she

2   was instrumental in developing that tariff, if she

3   had any other contacts. I did not.

4   Q   You are not aware of any, though, are you?

5   A   I'm not aware of any.

6   Q   Did you have any conversations with Ms. Lange

7   that suggested that should happen?

8   A   Quite honestly, Ms. Lange took the ball and ran

9   with this. So she -- she -- if she had those

10   conversations, I would have welcomed them. I did

11   not direct her one way or the other.

12   Q   I mean, you're her supervisor, correct?

13   A   I'm her supervisor.

14   Q   You agree that Staff's basic tariff proposal

15   and structure is very similar for all three Missouri

16   utilities, do you not?

17   A   I do because I think it's fair to have the

18   rules in place that are similar for all the

19   utilities so that it doesn't appear that one portion

20   of the state is being given undue preference than

21   another part of the state.

22   Q   The answer to my question was, yes, though,

23   correct?

24   A   The answer was yes.

25   Q   Did Staff model it's tariff after other adopted

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   or proposed large load customer tariffs in other

 2   states that have been proposed or adopted for

 3   utilities in, say, the last two years?

 4   A   I do not know.

 5   Q   You didn't discuss that among your staff?

 6   A   I don't remember having discussions like that

 7   with my staff.

 8   Q   You don't think that's an important

 9   consideration at all?

10   A   I did not say that.

11   MR. PRINGLE: Objection to relevance.

12   MADAM COURT REPORTER: Who made the

13   objection?

14   MR. PRINGLE: That was Travis Pringle on

15   behalf of Staff.

16   MR. LOWERY: Well, I think, Judge, that as

17   I indicated in my opening statement, these loads

18   bring a number of benefits including economic

19   developments to the state. And we would -- we would

20   also suggest bring other benefits to the electric

21   system.

22   And if the tariffs aren't competitive with

23   other states and don't even consider what happened

24   in other states, that seems to be a relevant

25   consideration to what the tariff design should be.

1   REGULATORY LAW JUDGE WALKER: I'm going to

2 overrule the objection and allow him to answer the

3 question.

4 BY MR. LOWERY:

5 Q   Do you remember the question, Mr. Busch?

6 A   I do not.

7 Q   Did Staff model its tariff after other adopted

8 or proposed large load tariffs in other states that

9 have been proposed or adopted for other utilities in

10 the last two years?

11 A   I cannot speak to every other tariff that is

12 out in the United States, and I would defer that to

13 Ms. Lange.

14 Q   Well, I'm asking you. Do you know whether

15 Staff did that?

16 A   I do not know.

17 Q   And I think another question I asked was, might

18 that be an important consideration, to understand

19 how Staff's tariff proposal lines up with tariff

20 proposals in other states and adopted tariffs in

21 other states if one of the goals of the tariff is to

22 actually be able to compete for these loads?

23 A   Not necessarily. I mean, there could be

24 factors that are involved that we've developed or

25 concerns that we've that are necessary that other

1 jurisdictions have not put in place.

2   So I don't know that it's necessary to be in

3 lock step with all the other states.

4 Q   Well, let me ask it this way, if Staff has come

5 up with the considerations or ideas or terms and

6 conditions that from the perspective of large load

7 customers who have choices as to where they locate

8 are unacceptable or problematic, then isn't it fair

9 to say that Staff's proposal under those

10 circumstances is not going to be very conducive to

11 actually attracting those large load investments to

12 Missouri?

13   MR. PRINGLE: Objection, calls for

14 speculation.

15   REGULATORY LAW JUDGE WALKER: Sustained.

16 BY MR. LOWERY:

17 Q   I'm going to ask you if you remember something

18 Mr. Wills said, and if you don't, I can give you a

19 copy of his testimony.

20   But you remember that Mr. Wills indicated in

21 his testimony that he and his Ameren colleagues have

22 spent a considerable amount of time interacting with

23 potential customers, learning what's important to

24 them and choosing a jurisdiction where they might

25 seek to establish service and making investments.

1 Do you remember him saying that?

2 A   I don't. Do you have a copy of that?

3 Q   Well, I'll tell you what, it's going to be in

4 the record. So just assume that he did say that,

5 okay?

6 A   Could you repeat that again, please?

7 Q   Assume that Mr. Wills' surrebuttal testimony

8 says, and I'm paraphrasing, but the message is that

9 he and his colleagues have spent considerable time

10 interacting with customers, learning what was

11 important to them in choosing a jurisdiction in

12 which they would seek to establish service and

13 making investments in that jurisdiction. Assume he

14 said that in his surrebuttal testimony.

15 A   Okay.

16 Q   And you don't have any reason to doubt if he

17 did say it, that that's the truth, do you?

18 A   If it's in his testimony, it's in his

19 testimony.

20 Q   Did Staff spend considerable time doing the

21 same thing as it developed and proposed its large

22 load customer tariff proposal?

23 A   I do not believe that Staff has the time or the

24 staff to be able to negotiate and work with all of

25 those other entities.

1   Q   So Staff didn't spend any time on such an

2   effort because it didn't have the times, is that

3   right?

4   A   Like I said, Ms. Lange, I'd defer to her, but

5   from my perspective, I'm not aware.

6   Q   Well, as the head of the division that

7   developed the tariff proposal, you don't think that

8   Staff had the time or wherewithal to do such a

9   thing, right?

10 A   I think that it was -- I'd be shocked to find

11 out if they were able to.

12 Q   You have a copy of your testimony, I assume,

13 with you, Mr. Busch?

14 A   I do.

15 Q   Can you turn to page 6?

16 A   Okay.

17 Q   Let me get a copy of it as well. I'm going to

18 direct your attention to line 19 and then carrying

19 over to page 7, line 1.

20 A   Okay.

21 Q   Could you just read that to yourself, just to

22 refresh your recollection as to what you said.

23 A   Okay.

24 Q   And do you agree that if utilities did not have

25 an incentive to invest in their systems generally

 1   and in generation specifically that the odds are

 2   increased that the utility system will be less

 3   robust, reliable and resilient than it should be?

 4   A   I believe that utilities need to invest in

 5   their systems to ensure that they are able to

 6   provide safe and adequate service to their

 7   consumers.

 8   Q   But that wasn't my question. Do you believe if

 9   they didn't have an incentive -- if the regulatory

10   construct didn't give utilities an incentive to

11   invest in infrastructure, generally in generation

12   specifically, so that incentive didn't exist, don't

13   you think that the odds would be increased that the

14   system would be less robust, reliable and resilient

15   than it should be?

16   A   I guess I'm trying to understand what you mean

17   by the incentive because all businesses are -- they

18   are able to earn a return on their investment. So I

19   think that's inherent in any business, in any

20   industry.

21   Q   Well, Mr. Busch, you said in your testimony

22   that utilities have an incentive to overstate the

23   needs in their system, and, basically, you went on

24   to say, look, the way they make money is they invest

25   in infrastructure, they increase their rate base,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 and that's how they make money. So that's the

2 incentive they have, right?

3 A   Well, that is -- the incentive is that the

4 more -- the more that they build, the higher the

5 rate of return there that would be, yes.

6 Q   And if they didn't -- if they didn't get a rate

7 of return, they didn't have that incentive, if they

8 built --

9   So if they built but they don't have -- they

10 don't get a return, they don't gain anything from

11 building, right, you follow my hypothetical?

12 A   Yeah.

13 Q   Let's imagine that incentive does not exist.

14 And so they can spend $500 million, but they don't

15 get any return --

16 A   Yeah.

17 Q   -- do you think they're going to be as likely

18 to build generation that might otherwise be needed?

19 A   I -- yeah. I mean, they're going to -- they're

20 going to invest in their systems in order to earn a

21 return on that investment. So that's -- yes, I

22 agree with that.

23 Q   Yeah, you agree if they don't have the

24 incentive, they may not invest in their system as

25 much, right?

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   MR. PRINGLE: Objection, asked and

2   answered at this point, Judge.

3   MR. LOWERY: I don't think it was.

4   REGULATORY LAW JUDGE WALKER: Sustained.

5   BY MR. LOWERY:

6   Q   Isn't it true that neither Evergy nor Ameren

7   can build new generation that they would need to

8   meet their load if new large load customers do come

9   onto the system unless the Commission gives them a

10 CCN saying, yes, you can build that generation?

11 A   It's my understanding that they would need a

12 CCN. Any investment utility in Missouri would need

13 a CCN from the Commission in order to build.

14 Q   So they can't just decide to overbuild their

15 system on their own. They've got to come to the

16 Commission and convince the Commission that the

17 generation should be built, isn't that right?

18 A   That is correct. But the utility -- if -- has

19 the ability and maybe the incentive to explain to

20 the Commission that we have all of these gigawatts

21 that are coming on to our system that may or may not

22 actually come to fruition, as was discussed today.

23   So they can tell the Commission, and if we

24 don't have the abilities to fully get into what is

25 actually, potentially going to actually be here, the

1 utilities do have an incentive to let the Commission

2 know that we have a lot of customers that are coming

3 on, and we need to build.

4   And those customers that might be coming on may

5 not exist. So the utility, then, would be able to

6 extract all of those costs from the existing rate

7 payers.

8 Q   Well, I suppose Staff's going to tell the

9 Commission that in the CCN case, right?

10 A   Staff has the ability to get the information to

11 make that argument, and we certainly will try. But,

12 you know, I watched my staff work through a lot of

13 CCN cases lately, and it's -- you know, there's a

14 lot of information that was provided and a lot of

15 information that I think that Staff still requires

16 that is difficult to obtain.

17   And in fact, we talked about Senate Bill 4.

18 We're going to have -- we're going to have an all

19 new system in place in the next few years that's

20 going to impact how CCNs are going to be decided in

21 this state.

22 Q   Because the General Assembly decided the rules

23 should be changed, right? That's not your decision,

24 is it? That was the General Assembly's decision?

25 A   General Assembly, yes.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 | Q   Do you have a copy of the Staff rebuttal

2 | report?

3 | A   I do not.

4 | MR. LOWERY: May I approach, Your Honor?

5 | REGULATORY LAW JUDGE WALKER: Yes, you

6 | may.

7 | A   Thank you.

8 | BY MR. LOWERY:

9 | Q   Would you, please, confirm that that appears to

10 | be a copy of the Staff rebuttal report?

11 | A   It does.

12 | Q   Turn to page 8, if you would.

13 | A   Eight?

14 | Q   Yes.

15 | A   I'm there.

16 | Q   Would you agree that Staff raises the issue of

17 | inducing demand-side management savings on the one

18 | hand and adding generation on the other hand and

19 | suggests, because it's in the contradictory policy

20 | section, suggests that that's a contradictory

21 | policy?

22 | A   I completely lost what you're asking.

23 | Q   Okay, fair enough. Let me slow down a little

24 | bit.

25 | A   Thank you.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1 Q   Let you -- point you to the exact area. See

 2 lines 5 to 11 --

 3 A   Yes.

 4 Q   -- on page 8? And if you turn back on page 7,

 5 you see the section that that text on lines 5 to 11

 6 on page 8 is in a section Staff titles

 7 "Contradictory Policy"?

 8 A   That is correct.

 9 Q   And what Staff says is, they said (as read,)

10 Furthermore, since 2015, EMW has collected more than

11 232 million, and EMM has collected more than

12 235 million, and I'm going to skip a few words, you

13 know, through the DSM, through demand-side

14 management, right?

15 A   That's what it says.

16 Q   And goes on to talk about that the DSM is

17 premised on the concept of avoiding capacity costs.

18   And then the last sentence in that passage,

19 look for lines 9 to 11 says (as read,) Now, Evergy

20 is actively seeking large load customers that will

21 require massive amounts of new generation

22 facilities, which will be recovered through the

23 rights of all captive rate payers effectively

24 erasing the proposed benefit of avoiding generation

25 facility costs. Do you see that?

1   A   I do.

2   Q   And the point that Staff is making, and I'm not

3   saying that I agree with it, but the point Staff's

4   making or you can confirm it's the point that Staff

5   is making, is on the one hand Evergy has spent money

6   to induce people, induce customers to use less load

7   and would need less generation.

8   On the other hand, if you bring these large

9   load customers on your growing load and maybe

10 inducing the need for more generation.

11   And Staff contends that's contradictory, right?

12 A   I mean, as you notice, Mr. Lubert, he was a

13 Staff sponsor of this, so I would request that you

14 ask him that question. But that's what it appears

15 that we're saying.

16 Q   Well, you sponsored the overall Staff report.

17 In fact, that's the purpose of your testimony, is it

18 not?

19 A   Yes.

20 Q   You read this report. I assume -- you can tell

21 me if I'm wrong. I assume you read this entire

22 report before it was filed, did you not?

23 A   I read this entire report before it was filed,

24 that is correct.

25 Q   And if you disagreed with something in this

1   report, it wouldn't have been filed that way, would

2   it?

3   A   That is correct. And that why I said I agreed

4   with it, but I asked you to -- Mr. Lubert can go

5   into more detail on that.

6   Q   Well, you either know or you not -- you don't.

7   I think you just said you did. The point Staff's

8   making is that those two things are in contradiction

9   of each other, right?

10   A   Yes.

11   MS. HANSEN: Objection, asked and

12   answered.

13   REGULATORY LAW JUDGE WALKER: Sustained.

14   BY MR. LOWERY:

15   Q   So let's talk about adding capacity while

16   reducing load at the same time. And I'm going to

17   use an example, hypothetical, and ask you some

18   questions about it.

19   Assume my wife and I own a 2,500 square foot

20   all electric house, and we want to add a 750

21   square-foot family room.

22   Would you agree that if that's all we do, we

23   don't touch any of the other systems in the house

24   other than to extend the electricity, plumbing, HVAC

25   to that addition, would you agree that our heating

1 and cooling bills are likely to go up because now we

2 need to heat and cool 3,250 square feet and not

3 2,500 square feet?

4 A   In your hypothetical, you're simply adding on a

5 750 square-foot room to your existing home. I

6 would -- I think that would make sense, that your

7 electric costs would go up.

8 Q   Okay, let's add some more assumed facts.

9 Assume that we recognize that reality that our

10 utility bills are going to go up when we add this

11 750 square feet.

12   So we decide to replace our HVAC unit at the

13 same time, and we decided to replace it with units

14 that are expected to require 50 percent less

15 electricity to heat and cool --

16   MS. HANSEN: Objection, relevance?

17   MR. LOWERY: Judge, I -- may I respond,

18 Judge?

19   MADAM COURT REPORTER: May I ask who's

20 making these objections.

21   MS. HANSEN: Andrea Hansen with Commission

22 Staff.

23   MADAM COURT REPORTER: Okay. I just can't

24 see. Sorry.

25   REGULATORY LAW JUDGE WALKER: Overruled.

 1 BY MR. LOWERY:

 2 Q   So let's add some more assumed facts. We

 3 realize when we add this 750 square feet that our

 4 bills are going to go up.

 5   So we say, you know, maybe in the long run what

 6 we ought to do is replace our HVAC unit with a much

 7 more efficient one. We'll spend some money to do

 8 that and those new units we're going to replace it

 9 with are expected to require 50 percent less

10 electricity, heat and cool that new -- what is now a

11 3,250 square-foot house. Are you with me?

12 A   I think so.

13 Q   Would you agree that although the house is

14 about 30 percent bigger, we're going to consume less

15 electricity with the new HVAC system to heat and

16 cool it than we would have had we left the old

17 system?

18 A   Based upon the assumption that you've given me,

19 I don't know.

20 Q   Well, if it's going to cost 50 percent less and

21 I increase the size of the house by 30 percent,

22 doesn't it have to be the case?

23 A   Depends on what you put in that room. There

24 could be -- you could put a massive theater system

25 that would require a lot more electricity than what

1   was in your previous house. So there are a lot of

2   other assumptions that I think we'd have to make.

3   Q   Well, let's assume that, in fact, the new units

4   will allow us to save money as compared to what it

5   would have cost had we not replaced the system,

6   okay?

7   A   Okay.

8   Q   So what happened here is we added capacity, we

9   added square footage to our house. It can hold more

10   people and more belongings than it could before.

11   And at the same time, we spent money to reduce

12   energy consumption from our HVAC system, right?

13   A   You might have reduced it from the existing,

14   yes.

15   Q   And us doing those two things at the same time

16   are not in contradiction to each other, are they?

17   A   I don't know if it's -- I don't know that

18   that's what we said in our report, but I don't know

19   that it's necessary contradictory.

20   I don't know, there's a lot -- like I said,

21   there's a lot of things that could be put in that

22   room that could cause your overall electric usage to

23   go up.

24   Q   Well, my hypothetical indicated that that isn't

25   going to happen. That, in fact, my electricity use

1 is going to be 50 percent less.

2   So in that case, I spent money to replace the

3 HVAC unit. So I spent money to reduce my

4 consumption, but I also spent money at the same time

5 to make my house bigger, right?

6   And those two things were not contradictory of

7 each other, were they?

8 A   I guess I can agree that in that hypothetical

9 they're not contradictory.

10 Q   So let's talk about this at a utility system

11 level. Isn't it true that a utility can spend money

12 that will cause some customers to use energy more

13 efficiently, like my wife and I did in the

14 hypothetical on the new HVAC system?

15   And the utility can also add generation needed

16 to serve its load with additional load coming from

17 large load customers and incur costs to expand that

18 capacity, and that there's nothing inherently

19 contradictory about doing both at the same time?

20 A   Well, on a systemwide basis, I think that, you

21 know, through the DSIM, that was monies that were

22 spent by every single rate payer that had already

23 been spent to help lower those -- the energy usage.

24   So that's, you know, I think $200 million that

25 have already been spent by the consumers, whether or

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 not they wanted to participate or not.

2   And now you see billions upon billions of

3 dollars being spent more. So I do see that that's a

4 slightly difference than you as a homeowner making a

5 decision for yourself and your family than captive

6 rate payers who don't necessarily have that choice

7 that you have as an individual homeowner.

8 Q   Can you turn to page 36 of the Staff rebuttal

9 report?

10 A   Thirty-six?

11 Q   Yes, please. Take a look at lines 5 to 6. You

12 see where the sentence starts, "Data center loads?"

13 A   You've got to give me a second.

14 Q   It says (as read,) Data center loads can be

15 quite whether sensitive in climate such as Missouri,

16 and that cooling can be a major end use due to the

17 waste it produces by computing equipment. Do you

18 see that?

19 A   Yes, I see that.

20 Q   Would you agree that if the load forecasting

21 models that Evergy uses today when it doesn't

22 have -- it has maybe some data center load on its

23 system, but it doesn't have the kind of data center

24 load that it's showing for its projections in the

25 near term.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   If those load forecasting models that they use

2   today are able to forecast the impact of weather on

3   Evergy's load the next day with a good level of

4   accuracy, shouldn't those same models be able to do

5   a good job of forecasting the next day's load after

6   material data center load is added?

7   A   I don't know.

8   Q   But why wouldn't they be able to? If the

9   models -- you know, we live in Missouri and we have

10   hot summers and very humid summers and we have

11   weather forecast and SPP is forecasting a load, you

12   know, several days ahead in those hot spells, for

13   example.

14   If those models are doing a good job today of

15   forecasting what happens to all that air

16   conditioning load all the residences and businesses

17   have, why would there be a problem with forecasting

18   the same phenomenon that's going to happen with data

19   center load?

20   A   I don't believe that a data center is going to

21   have anywhere near the same type of load or needs as

22   a residential.

23   So a model that is working well today may not

24   work quite as well when you put in a new type of

25   customer that hasn't necessarily been used before.

1   So I don't know that I would necessarily agree

2 the current models will be able to take into effect

3 what's going to change when you add the type of

4 customers like the data centers.

5 Q   Well, wasn't the reason that Staff said the

6 loads could be whether sensitive is that cooling

7 could be a major end-use? I mean, it was cooling,

8 right, it was focused on air-conditioning, right?

9 A   I think so. I agree with that.

10 Q   And so it's your testimony that the impact of

11 weather on air-conditioning for all the rest of the

12 load is somehow significantly different than the

13 impact of weather on air-conditioning for a data

14 center?

15 A   I'm assuming a data center is going to run

16 much, much hotter internally than my house will. So

17 I think there's a slight difference between what a

18 data center and what a residential home would be.

19 Q   You served as an economist for both OPC and

20 Staff, have you not?

21 A   I have.

22 Q   You've provided testimony and a rate design, is

23 that right?

24 A   I have.

25 Q   You perform class cost of service studies?

1   A   I have.

2   Q   Have you developed a retail revenue requirement

3   that an analyst like yourself would use to perform a

4   class cost of service study?

5   A   I'm sorry, could you repeat that, please?

6   Q   Have you developed a retail revenue

7   requirement, the things that Ms. Bolen's team does,

8   have you done that?

9   A   I know I've worked on class -- I know I did a

10   cast working capital case way back in the day. But

11   I don't think I developed the entirely of the

12   revenue requirement model. I don't think I've ever

13   done that.

14   Q   But you do understand how a retail revenue

15   requirement is developed, right?

16   A   Yes.

17   Q   Would you agree that in Missouri, and I

18   mentioned this before, retail revenue requirements

19   in the case of Staff are developed by Staff's

20   auditing function, right?

21   A   Our auditing department, yes.

22   Q   And they're developed based on a utility's test

23   year or often a trued up test year, right?

24   A   Well, also there's other aspects like fuel that

25   is also -- members of my team also provide into the

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 revenue requirement for the (indiscernible.) So I

2 just wanted to make sure it's not -- it is not just

3 our auditing department.

4 Q   That's true. But, you know, the production

5 cost modeling and so on that your team does, you, I

6 don't know if this is the right word, you feed that

7 to the auditing department, and they take that into

8 account, and they build a revenue requirement,

9 right?

10 A   Yeah.

11 Q   I mean, your -- your work's an input into their

12 work, right?

13 A   That is correct.

14 Q   Okay. And retail revenue requirements that

15 they ultimately are developing are developed based

16 on a utilities test year, trued up test year, right?

17 A   Yes.

18 Q   And the goal -- the goal of doing that is to

19 determine, based on the test year, trued up test

20 year, to determine how many dollars the utilities

21 rates need to collect annually to cover the revenue

22 requirement under normalize conditions, right?

23 A   I would agree.

24 Q   Would you agree that revenue requirements are,

25 by design, intended to reflect what it costs utility

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 to serve its customers?

2 A   Yes.

3 Q   And that those revenue requirements that are

4 developed in a rate case are intended to be a proxy

5 for what it will cost once new rates are set by the

6 Commission?

7 A   Could you repeat that, please?

8 Q   Maybe it's a bad question. What we're doing

9 with the revenue requirement is we're trying to come

10 up with a proxy for what it will cost to provide

11 service once new rates are set by the Commission,

12 right?

13 A   I guess I don't agree with the word proxy. I

14 mean, I think we're just trying to come up with what

15 we believe that the cost of service is.

16 Q   But that cost of service is going to be applied

17 in the future once new rates are set, right?

18 A   Yes.

19 Q   And at least in theory, ideally, we'd like to

20 set a cost of service that's going to be reflective

21 of those conditions once rates are set, right?

22 A   I think that's the general goal, yes.

23 Q   Do you agree the process of class cost of

24 service allocation is a process whereby one seeks to

25 allocate the appropriate portion of the revenue

1   requirement that was developed in the rate case, we

2   just talked about --

3   A   Yes.

4   Q   -- through each rate class?

5   A   That's -- yeah, best cost of service rate

6   designed is to divide the pie, yes.

7   Q   And what you're trying to do is allocate that

8   proportion of the costs that are caused by that

9   class to that class, right?

10 A   Yes.

11 Q   Would you agree that once -- would you agree

12 that once in a rate case -- once we have the revenue

13 requirement in a rate case and we've allocated the

14 cost to the rate classes, like we just talked about,

15 that one then engages in rate design? That's the

16 next step?

17 A   Yes.

18 Q   Would you agree that one of the key things one

19 is trying to accomplish with rate design is to have

20 rates for each class that are effective in yielding

21 the total revenue requirement allocated to that

22 class so when you sum all of those up, the rates as

23 a whole are designed to yield to utility's total

24 revenue requirement?

25 A   Yes.

 1   Q   Given that you agree with those principles,

 2   you'd agree, would you not, that Evergy's LLPS

 3   rates, how ever they're set, should reasonably

 4   reflect the cost that are and will be in Evergy's

 5   revenue requirement over time, wouldn't you?

 6   A   I think that the goal is to ensure that the --

 7   whatever class always pays their share and their

 8   costs.

 9   Q   Well, they should reasonably reflect what those

10   costs actually are, right?

11   A   Yes.

12   Q   They shouldn't be too low; they shouldn't be

13   too high, isn't that fair?

14   A   There are other aspects involved, but that's

15   the general idea, yes.

16   Q   If Evergy's rates were designed so that certain

17   costs are collected twice via different billing

18   determinants or the costs are otherwise overstated,

19   utility could collect more than its revenue

20   requirement, couldn't it?

21   A   I think I missed a little bit of what you said

22   at first, but I think your general premise is that

23   there's the potential for the utility to collect

24   more than their authorized revenue requirement.

25   Q   If costs are collected twice in the analysis or

1 they're overstated, that could happen, right?

2 A   Yes. Yeah.

3 Q   Is it possible to recover the exact same amount

4 of revenue from a customer when billing them with

5 different numbers of discrete charges and billing

6 determinants?

7 A   Repeat that again, please.

8 Q   Let me -- let me maybe try to ask it a little

9 bit differently.

10   Can't you -- if you need -- well, let me say it

11 this way, just take an example, if we need a

12 thousand dollars of revenue from a customer, you can

13 get that thousand dollars with a rate design that

14 includes one charge, two charges, three charges or

15 20 or 25 charges, right?

16 A   I do not believe there's a limit, yes.

17 Q   You don't have to have a lot of different

18 charges and billing determinants. You can have a

19 few, and you can still design it to collect that

20 thousand dollars, isn't that right?

21 A   For simple customers, a simple rate design for

22 more complex customers, I understand that you would

23 necessarily want to have a rate design that takes

24 into account the unique circumstances of the

25 customers.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   Q   It's not inherently necessary to have a large

2   number of different charges to produce the revenues

3   associated with a particular allocation of the

4   revenue requirement, is it?

5   A   Not necessarily.

6   Q   Doesn't that mean that a standard rate design,

7   like Evergy's LLPS design, it's designed that its

8   proposed, can have it's rate levels adjusted to

9   target any level of revenue that a cost allocation

10   suggests is appropriate?

11   A   Maybe. But there could be situations where

12   it's -- it misses something because you're trying to

13   put too many costs or too many things in one bucket.

14   So....

15   Q   Theoretically, that could happen, but it's not

16   necessarily the case, is it?

17   A   When the time comes, they really start digging

18   in and developing these rates, there are going to be

19   a lot of aspects that we're going to want to

20   consider to make sure that we develop the

21   appropriate rate structure for these new customers

22   that are coming to the state. And we want to make

23   sure we do it right.

24   Q   Pardon me. Let's talk about your division's

25   role in this case. And I think you talked about

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 this a little bit. You supervise the industry

2 analysis division but not the Staff's auditing

3 function, right?

4 A   That is correct.

5 Q   That's Ms. Bolen's division as we talked about,

6 right?

7 A   Correct.

8 Q   Did Ms. Bolen or her team review or have input

9 on the Staff rebuttal report or your testimony or

10 Ms. Lange's testimony filed in this case before they

11 were filed?

12 A   I can't speak to exactly what Ms. Bolen or her

13 team did or did not review, and I know that Ms.

14 Bolen is, generally -- like, all division directors

15 are given the opportunity to review all the work

16 that we forward, submit to the Commission.

17   But I can't speak to exactly what Ms. Bolen did

18 or -- I'm sure that Staff reached out to some

19 members of the auditing team, but I cannot be for

20 sure exactly who. It was two or three months ago

21 when this was all done.

22 Q   So you don't know what input they had or didn't

23 have?

24 A   Not off the top of my head, I do not.

25 Q   Nothing comes to mind that the auditing team

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 said?

2   MS. HANSEN: Objection. Asked and

3 answered.

4 BY MR. LOWERY:

5 Q   So nothing specific comes to mind where one of

6 your team members said, hey, we consulted with the

7 auditing team and they raised this issue or that

8 issue or we specifically asked them this question or

9 that question, nothing comes to mind at all that

10 that happened?

11 A   I would request you ask that question to the

12 members of my team who participate in this report.

13 But to my knowledge, I can't think of anything off

14 the top of my head.

15 Q   It's my assumption that you, personally, had

16 input into review and approved the Staff's filing of

17 the testimony in this case, right?

18 A   I did review the testimony in this case.

19 Q   You agree that you are responsible for the

20 position that Staff is taking in this case?

21 A   I do agree with that.

22 Q   Staff's report reflects use of a multi average

23 of locational marginal prices LMPs, otherwise known

24 as market prices. You understand that, right?

25 A   Okay.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Q   You know what an LMP is, right?

2 A   Yes.

3 Q   And it's, basically, the market price of

4 energy, right?

5 A   Yep.

6 Q   Would you agree that Staff's report reflects

7 use of a multiyear market energy price as the basis

8 for its proposed energy charge?

9 A   You're getting into the weeds of something that

10 I reviewed many months ago. So I would -- I would

11 say I don't know and ask the appropriate Staff

12 witness at this time.

13 Q   So you don't know what the basis of Staff's

14 proposed energy charge is?

15 A   I don't remember off the top of my head --

16 Q   You don't remember.

17 A   -- that I can discuss here. I'd rather let our

18 experts talk about that.

19 Q   When Ms. Bolen and her team developed revenue

20 requirements -- and if you don't know, you can say

21 you don't know.

22   But when they developed the revenue requirement

23 for Missouri Electric Utility, does their revenue

24 requirement -- revenue requirement model contain a

25 line item? Do they rely upon market energy prices

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 applied to all retail load in setting the base

2 rates?

3 A   I don't know.

4 Q   Now, it's true that the auditing team would use

5 historical LMPs to develop prices production cost

6 modeling, and I guess, really, your team is doing

7 that, right?

8 A   You know, I think we have a witness come up

9 here who does production cost modeling, and he would

10 be the appropriate witness to ask exactly how stuff

11 does that. I have not done that function.

12 Q   Okay. You don't really understand what prices

13 are used in the production cost modeling that Staff

14 does?

15 A   I know there's a lot of prices that are used,

16 and so I would not want to opine at this time. I

17 would rather let the appropriate witness tell the

18 Commission exactly what they do.

19 Q   Would you agree that the cost for Evergy to

20 generate a megawatt hour of electricity is not equal

21 to the market price of energy in a given hour except

22 by wild coincidence?

23 A   I think that's correct. I think I can agree

24 with that.

25 Q   You have a masters and a bachelors degree in

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1 economics, right?

 2 A   I do.

 3 Q   Go Salukis, right?

 4 A   Nope. Cougars.

 5 Q   Cougars. Oh, I've got the wrong Illinois

 6 University. I insulted you. I apologize.

 7 A   Yeah. No. It's all right. SIUE.

 8 Q   You agree, do you not, that the cleared market

 9 price in every hour in an RTO market, like SPP or

10 MISO, is based on the variable production costs of

11 the most expensive unit bit into the market in that

12 hour that's needed to cover load in that hour? Do

13 you agree with that?

14 A   I think that's correct.

15 Q   Which means that all of the other units

16 dispatched in that hour are receiving a price that

17 is higher than their marginal cost of production

18 because they're not on the margin, right?

19 A   You're quickly going beyond my expertise on the

20 SPP market.

21 Q   Well, if the market price is set by the most

22 expensive unit, let's say the most expensive unit

23 has a production cost of $20, then every other unit

24 that has a production cost of 19.99 or less is

25 getting some margin, right?

1 A   I think -- I think I can agree with that.

2 Q   I mean, as an economist, I think that has to

3 be, right?

4 A   I think so.

5 Q   So the price that those nonmarginal units are

6 getting, the margin that they're getting, except for

7 the five percent sharing in the fuel adjustment

8 clause, that margin is going back to customers

9 through the fuel adjustment clause, is it not?

10 A   Off the top of my head, I -- I -- I don't know.

11 Q   I think you agreed earlier that when we come up

12 with a revenue requirement, usually a

13 (indiscernible) requirement, and what we are trying

14 to do is set a revenue requirement that's going to

15 be reflective of the cost the utility would actually

16 incur when base rates are set. That's what we're at

17 least trying to do, right?

18 A   Yes.

19 Q   Given that Evergy has had a series of rate

20 cases over the past several years, as has Ameren,

21 Missouri, for that matter, that Staff has found rate

22 increases of some level are needed in most if not

23 all of those cases.

24   It apparently is the case that those revenue

25 requirements are not sufficient to cover the cost

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 once rates are in effect, right; otherwise, you

2 wouldn't need to come in and change rates again,

3 right?

4 A   Well, I don't know the history of the rate

5 case, but I do know that both Ameren and Evergy have

6 fuel adjustment clause that requires them to come in

7 for a rate case within a certain amount of time

8 regardless of whether or not they are meeting all of

9 their cost of service.

10   And there could be -- they could have been

11 meeting it and then over the last year, they may not

12 have been meeting it.

13   So -- but generally speaking, if an increase in

14 rates is required, it's because they did not meet

15 their trued up or their revenue requirement cost of

16 service within the test year.

17 Q   The revenue requirement that was set in the

18 last case is no longer good enough to meet the cost

19 of service, right; otherwise, you wouldn't need a

20 rate increase, right?

21 A   I believe that's probably correct.

22 Q   And -- and Ameren Missouri and Evergy have been

23 coming in significantly more often than they have to

24 come in under the fuel adjustment clause statute,

25 right, which requires them to come in every four

 1 years, right?

 2 A   Yeah. It's amazing how much more the utilities

 3 are coming in nowadays.

 4 Q   Would you agree that the fact that they are

 5 having to come in pretty often, more often than the

 6 fuel adjustment clause statute require, and that

 7 they're justifying rate increases because that prior

 8 revenue requirement didn't turn out to be sufficient

 9 to reflect the cost, would you agree that their

10 thereby incurring negative regulatory lag until

11 those rates can be reset again?

12 A   I think at some level, you know, there is a

13 little bit of regulatory lag and there have been

14 various mechanisms that have been passed by the

15 General Assembly to address those that have eased

16 the burden of regulatory lag to the utilities.

17 Q   Well, despite those mechanisms, they're still

18 justifying rate increases on a pretty frequent

19 basis, and so those mechanisms are not eliminating

20 that negative regulatory lag, are they?

21 A   I didn't say eliminate it, but it definitely

22 made it less burdensome to the utility to the

23 detriment of the consumers.

24 Q   Well, it may have been really terrible before,

25 and it isn't as bad now. Is that what you're

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 saying?

2 A   No. I said (indiscernible.)

3 Q   As an economist, would you agree that this

4 regulatory lag, positive and negative, provides an

5 incentive for utilities to control costs and operate

6 efficiently?

7 A   I think that is an argument for regulatory lag.

8 Q   I mean, that's the basic premise of regulatory

9 lag and public utility rate making, isn't it?

10 A   I think so.

11 Q   Do you disagree with it?

12 A   No.

13 Q   Positive regulatory lag will increase earnings.

14 So if the utility can control costs and be more

15 efficient then shareholders can gain, right?

16 A   The general principle, yes.

17 Q   And for the same reason, negative regulatory

18 lag provides that (indiscernible) because the higher

19 utilities cost, the less efficient it is. The less

20 it controls cost, the less shareholders can earn,

21 right?

22 A   I think so.

23 Q   Staff's proposal regarding (indiscernible)

24 positive regulatory lag is a one-way tracker, is it

25 not?

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   A   I think that the potential for positive

2   regulatory lag you could do to the size of the

3   customers that would be coming on board will dwarf

4   anything that was -- that we've seen before. So I

5   think that's where Staff is coming from that.

6   Q   Yeah, but you didn't answer my question. My

7   question was (indiscernible) it is, right?

8   A   I believe that's (indiscernible) because the

9   regulatory lag, the positive, is one way.

10 Q   So if there's -- if there's X dollars of new

11 revenues coming from large load customers but their

12 offsetting cost increases going on in utility's

13 business, your tracker's only going to take into

14 account the revenues for large load customers and

15 completely ignore the cost increases (indiscernible)

16 business?

17 A   I don't -- I don't think -- I don't believe

18 that's the case. But I don't know. I didn't think

19 it would -- just look at the positive side. If

20 costs are going up, I think that would be considered

21 as well.

22 Q   So let me ask you a question about that,

23 then --

24   MADAM COURT REPORTER: Can we hold on one

25 second? Sorry, my --

1   [Reporter's note: Audio difficulty.]

2   MR. LOWERY: Absolutely.

3   MADAM COURT REPORTER: Okay, I appreciate

4   that.

5   BY MR. LOWERY:

6   Q   Let me just explore your answer just a little

7   bit. As I understand the proposal, and you may

8   understand it differently or maybe you don't fully

9   understand it, but as I understand the proposal, it

10 would take the positive regulatory lag the utility

11 may experience from incremental large load customer

12 revenues that weren't baked into the prior rate

13 case -- are you with me so far?

14 A   Yes.

15 Q   -- and defer it to a regulatory liability,

16 right?

17 A   I believe that's correct.

18 Q   And the idea, then, would be when you get to a

19 rate case after that regulatory liability has been

20 built up, utility would have to dollar-for-dollar,

21 probably over a multiyear amortization that the

22 Commission decides upon, but would have to

23 dollar-for-dollar reduce its revenue requirement

24 equal to those incremental large load revenues,

25 right?

 1 A   I would -- think that's correct, but to -- for

 2 a better understanding of it, I would also defer to

 3 Staff Witness Lange on this.

 4 Q   But you think that's how it works, right?

 5 A   I think that's just how that works, but, you

 6 know, we've -- yeah.

 7 Q   If at the same time, let's say we have two

 8 years between a rate case, and we have X dollars of

 9 incremental large load revenues that weren't baked

10 into the prior revenue requirement, let's say that

11 utility is incurring negative regulatory lag --

12 despite the existence of PISA. PISA doesn't get rid

13 of all the regulatory lag on capital embezzlement,

14 does it?

15 A   Maybe not all of it, but they get a lot -- it

16 gets a lot of --

17 Q   It's 85 percent or at least 15 percent, right?

18 A   Okay.

19 Q   And on the -- well, is that right?

20 A   I think so.

21 Q   And utilities are investing a lot in their

22 systems these days, do you not? So 15 percent of

23 500 million or a billion dollars is a lot of money,

24 right?

25 A   Yes.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Q   So let's say at the same -- during that same

2 interval when the large load customer incremental

3 revenues are being tracked in Staff's tracker, the

4 utility incurs 50 million dollars of lag despite

5 PISA, the utilities transmission cost go up 15 or

6 20 million dollars a year. It's Union contracts

7 causes wages to go up 15 or 20 million dollars,

8 whatever the numbers are.

9   Under Staff's proposal, those three instances

10 of regulatory lag, negative regulatory lag the

11 Commission -- the utility is experiencing, the

12 Staff's not proposing to track those, are they?

13 A   I don't remember that we are, and I would

14 suggest that the utility can always come in for a

15 rate case if they are suffering from that level of

16 regulatory lag. There's nothing preventing the

17 utility from coming in for a rate case.

18 Q   Well, there's nothing preventing the Staff from

19 bringing a complaint case to lower rates if you

20 think the utility is earning more than it should,

21 more than a fair return, is there?

22 A   For Staff to do the work to determine whether

23 or not the utility was over earnings and then to

24 file a complaint and then the whole process of

25 complaint to fruition, is a much more complex

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   process and is not subject to, from my

2   understanding, the 11-month window that a rate case

3   is.

4   So even though Staff parties could do that, the

5   time and effort for a party to make that adjustment,

6   to make that recommendation to the Commission and

7   for the Commission to agree to that change of rates

8   is a much more complex, more difficult and -- than

9   the utility asking for rates in the normal process.

10 Q   But under Staff's proposal, you could have,

11 let's say, $50 million of incremental large load

12 customer revenues that have to be deferred to this

13 regular liability, and they're going to be given

14 back to that rate case under Staff proposal. And

15 the utility, even if it comes and files a rate case

16 really quickly, could also have $50 million of other

17 lag that's going the other way.

18   And utility is going to eat that negative lag

19 between those rate cases, but they're going to give

20 back the positive regulatory lag through that

21 deferral in that next rate case. That's Staff's

22 proposal, isn't it?

23 A   I would defer Ms. Lange for a complete

24 discretion on what that -- how that would work.

25 Q   Don't you understand that that's Staff's

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   proposal?

 2   A   I -- yeah, there are a lot of evidence.

 3   Q   Are you telling me you didn't understand the

 4   proposal when it was made?

 5   MR. PRINGLE: Objection, argumentative.

 6   MADAM COURT REPORTER: Mr. Pringle, I

 7   didn't get that first objection.

 8   MR. PRINGLE: Sorry. Both were

 9   argumentative.

10   MADAM COURT REPORTER: Okay.

11   REGULATORY LAW JUDGE WALKER: And both are

12   sustained.

13   MR. PRINGLE: Thank you, Judge.

14   BY MR. LOWERY:

15   Q   Mr. Busch, you're aware, are you not, that

16   Evergy has requested in a number of cases over the

17   last decade or so a transmission cost tracker, and

18   the Staff's opposed every one of those requests, are

19   you not?

20   A   (Indiscernible) crossroads?

21   Q   No.

22   A   Then I'm not aware of that.

23   Q   If Evergy gets one or more large load customers

24   to come onto its system in the next few years, what

25   would be your expectation regarding whether such

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   customer's load will be at its ultimate peak demand

2   on day one of their operations versus whether that

3   demand would likely ramp up over a number of years?

4   A   It's my understanding that these loads ramp up

5   over a series of up to five years, I believe.

6   Q   It's, generally, not the case -- let's say we

7   have a 500-megawatt facility that's always going to

8   be used, it's generally not the case that on day one

9   with a data center under large loads open that its

10 operating at 500 megawatts, isn't that right?

11 A   That's my understanding.

12   MR. LOWERY: Your Honor, give me just a

13 second, please, if you would. That's all the

14 questions I have. Thank you, Mr. Busch.

15   REGULATORY LAW JUDGE WALKER: We are going

16 to take a ten-minute break and come back at 3:35.

17 [Break at 3:22 p.m. until 3:38 p.m.]

18   REGULATORY LAW JUDGE WALKER: How about

19 Evergy? That sounds good.

20   MR. FISCHER: Okay, thank you.

21   CROSS-EXAMINATION

22 BY MR. FISCHER:

23 Q   Good afternoon, Mr. Busch.

24 A   Good afternoon, Mr. Fischer.

25 Q   Thanks for coming back. The good news is, I

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 was able to cut down a lot of the cross after I

2 listened to your conversation with Mr. Lowery. So

3 let's go back to a higher level, and hopefully, we

4 can get done fairly quickly.

5 A   Okay.

6 Q   Why don't we just start at the beginning of

7 your rebuttal testimony at line 22.

8 A   Page 1?

9 Q   Yeah, on page 1. There, you say (as read,) I

10 also provide a broad overview to the Commission on

11 the Staff's concerns with not only the Evergy's

12 proposed large power service tariff but the entire

13 concept of large load customers building facilities

14 in Missouri. Do you see that?

15 A   Yes.

16 Q   I think I would like to visit with you about

17 that entire concept of large load customers building

18 facilities in Missouri, if that's okay.

19 A   Sure.

20 Q   Would you turn to page 5 of your rebuttal

21 testimony at lines 15 through 17?

22 A   I'm there.

23 Q   At that point in your testimony --

24   MR. FISCHER: Oh, by the way, for the

25 court reporter, this is Jim Fischer. I don't think

1 I identified myself again, and if I go too fast,

2 please stop me, okay.

3 BY MR. FISCHER:

4 Q   At line -- at line 15 there on page 5, you're

5 asked the question (as read,) But are not the

6 economic advantages locating large data centers in

7 Missouri worth the risk?

8   And then you go on to answer the question (as

9 read,) Not in my opinion. Is that right?

10 A   That is correct.

11 Q   And now, is that the Staff's opinion, too?

12 You're speaking for the Staff?

13 A   I think it's fair to say I'm speaking for Staff

14 there.

15 Q   Okay. And this is the first case I think

16 that's gone to hearing on large load tariffs in

17 Missouri, is that right?

18 A   I mean, I'm thinking about the MKT tariff, and

19 I think that went to hearing. And that was large

20 load. But --

21 Q   Well --

22 A   -- to this is the first one which is called a

23 large load tariff extent --

24 Q   That's fair.

25 A   -- I just -- yeah. Yeah.

1   Q   Okay. But this is the first one, which I would

2   call the large load tariff that we're doing pursuant

3   to SB4?

4   A   I would agree with that, yes.

5   Q   Okay. Now, if I understood some of the answers

6   to Mr. Lowery, is it correct to say that Staff's

7   conceptual tariff provisions were developed by the

8   Staff personnel whose names are listed there in the

9   Staff report?

10 A   That is correct.

11 Q   And if I also understood your testimony, I

12 think you said Sarah Lange took the ball and ran

13 with it. And you were talking about particularly

14 the tariff provisions at that point, is that right?

15 A   Yes.

16 Q   So is she's a principle author of the tariffs?

17 A   Yes.

18 Q   Okay. Now, prior to filing the Staff report in

19 this case, did Staff provide the department of

20 economic development with a summary or a copy of the

21 Staff's conceptual tariff provisions in this case?

22 A   No.

23 Q   No? Okay.

24 A   Not that I'm aware of.

25 Q   Would you have provided them to any of the

1 other state agencies that you mentioned the Staff

2 report, the Department of Natural Resources or the

3 Division of Energy for that department or the

4 Governor's office? Any of those folks have any

5 input in the process?

6 A   Not to my knowledge.

7 Q   Okay. And did Staff hire any outside

8 consultants with economic development credentials to

9 help develop the tariff?

10 A   We did not.

11 Q   What about any outside consultants that had

12 experience with data centers or large load tariffs

13 for data centers?

14 A   We did not.

15 Q   So, essentially, Staff relied on its own

16 in-house employees, as you often do, to draft the

17 proposed tariffs in this case without input from

18 other outside experts or other agencies, right?

19 A   Other than the input that we've received over

20 the years working on tariffs, class cost of service

21 rate design, et cetera.

22 Q   Do you happen to know if any other states have

23 adopted the type of regulatory approach that the

24 Missouri Staff has taken in this case for large load

25 tariffs?

1 A I, personally, do not know.

2 Q Okay. You couldn't point -- I know you

3 mentioned several tariffs -- several other states.

4 I think Ohio and a couple of others in your

5 testimony. But those are not like the ones that you

6 provided here, right?

7 A I don't believe so.

8 Q Okay. Would you agree that the Staff's

9 approach could be characterized as a novel approach?

10 A A novel approach, I think I could agree with

11 that.

12 Q Okay. On page 2 of your rebuttal and page 10,

13 you state -- and I'll let you get there.

14 A Page 2, line 10?

15 Q Yeah, line 10.

16 A Okay.

17 Q You say (as read,) First, Evergy, as well as

18 other utilities across Missouri and throughout the

19 United States, are seeing massive customers,

20 commonly data centers but potentially other

21 hyper-scale customers approach them to move into the

22 public -- into the utility service territories, is

23 that right?

24 A That is correct.

25 Q And what do you mean by hyper scale there?

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   A   By that, what I'm meaning is just other large,

2   massive customers with loads that are above, you

3   know, 25 megawatts above -- basically, why we're

4   here, right? Yeah, so massive load customers, and

5   we're not used to seeing them.

6   Q   Did you happen to have time to read Mr. Gunn's

7   testimony where he discussed the fact that the

8   Company's working with over 20 perspective large

9   load customers with more than six gigawatts of

10   incremental demand that are interested and located

11   in Evergy's service territory?

12   A   I'm familiar that there are a lot of companies

13   that Evergy has been talking to, and I think six

14   gigawatts was brought up as what they're potential

15   --

16   Q   I think you're Staff counsel may have had a

17   chart that showed just how massive the interest is

18   out there in our territory.

19   A   I think it was, actually, Mister

20   (indiscernible) --

21   Q   Oh, I apologize. I think you're right. I'm

22   sorry, yeah.

23   A   That's okay.

24   Q   Does Staff agree that Google, other data

25   centers or other large load customers have a choice

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   about where they locate their facilities?

 2   A   I think that they make the decision on where to

 3   locate their facilities based upon a myriad of

 4   factors, yes.

 5   Q   Well, for example, it could -- they could

 6   locate in Evergy's Missouri territory, or they could

 7   locate just across the state line and located in

 8   Evergy's Kansas service territory, right?

 9   A   I mean, I think there's going to be limits to

10   where they can -- you know, as was discussed

11   earlier, you have to have -- you know, there's a lot

12   of water that is being used so you have to have

13   water resources.

14   I think they have to have, you know, a good

15   backbone of infrastructure for other -- other than

16   just electricity. So they can -- they can go to

17   various places that have -- that meet all the

18   requirements that they have. So I don't think they

19   can just go anywhere.

20   Q   And electricity is, certainly -- will be one of

21   the things they'll look at, right?

22   A   Yes, it is.

23   Q   Okay. If we go to page 2 of your rebuttal

24   testimony, there -- at line 18, you state (as read,)

25   Second, during the last legislative session, the

1 Missouri General Assembly pasted that Governor Mike

2 Kehoe signed, Senate Bill 4, which you refer to as

3 SB4.

4   While SB4 has many provisions, it has one

5 section that states all investor-owned utilities

6 must have tariffs in effect dealing with customers

7 with large loads. Is that right?

8 A   That is correct.

9 Q   Does that section of SB4 indicate to you that

10 it's the policy of the state of Missouri that this

11 Commission develop tariffs for dealing with

12 customers with large loads?

13 A   I think it means that -- in my understanding

14 that the -- it's the Commission's responsibility to

15 develop tariffs that are fair and equitable to the

16 large load customers and the entire rate base -- you

17 know, all of the rate customers within the state of

18 Missouri, not just large load.

19 Q   And the public utilities themselves are being

20 required by SB4 to develop and have those tariffs

21 approved by the Commission, right?

22 A   Yes.

23 Q   Okay. Do you believe that the legislature

24 would have adopted a requirement that the Commission

25 approve large load tariffs if the legislator

1   believed that the whole concept of data center

2   customers or other large load customers in Missouri

3   was a bad idea?

4   A   I think when you take that into consideration

5   with the requirements to ensure that the rest of the

6   rate there, the rest of the captive customers are

7   not subsidizing unreasonably the largest data.

8   I think that there was a -- there was a concern

9   that they want to bring in economic development

10 through data centers. But they want to do to it

11 properly and fairly to ensure that all other

12 customers are not unjustly burdened.

13 Q   So if I understood your answer, you would agree

14 that the legislature wasn't saying keep data centers

15 out of Missouri?

16 A   I don't believe that's what they were saying.

17 I believe that's what Staff is saying.

18 Q   Do you believe that the legislature would have

19 adopted a requirement that the Commission approved

20 large load tariffs if the legislature believed that

21 the economic risks were just too great to have data

22 centers in Missouri?

23   MS. HANSEN: Objection. Calls for

24 speculation.

25   REGULATORY LAW JUDGE WALKER: (Inaudible.)

1   A   You know, there was a lot of -- a lot of give

2   and take and a lot of discussion with Senate Bill 4,

3   and so I, you know, it would be hard pressed for me

4   to understand exactly what the legislator did or

5   didn't want.

6   BY MR. FISCHER:

7   Q   It's not the role of the Staff here in

8   Missouri, though, to pick winners or losers in

9   Missouri's economy, right?

10   A   I don't believe that's the role of Staff or the

11   role of the Commission.   I don't think government at

12   all should be picking winners and losers.

13   Q   Okay.   That's fair.   Do you still have that

14   Staff report that Mr. Lowery gave you?

15   A   No, I got rid of that.

16   MR. FISCHER: Could I ask Mr. Lowery to

17   give you that?

18   THE WITNESS: Thank you.

19   MR. FISCHER: And I was going to ask you

20   to turn to page 6, line 13 and 14 of that Staff

21   report.

22   A   Page 6, lines 13 to 14?

23   Q   Yeah, that's where I'm going.

24   A   I'm there.

25   Q   Okay.   There, it says, Staff does not take a

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 position on the propriety of serving any given

2 potential customer of a regulated utility, is that

3 correct?

4 A   That is correct.

5 Q   And that statement would be true for a whole

6 industry like the data center industry?

7 A   I believe so.

8 Q   It's not the role of Staff to recommend

9 conceptual tariff provisions designed to keep

10 specific customers or industries from locating in

11 Missouri, wouldn't you agree?

12 A   I don't believe it's our role to create

13 barriers to entry for any customer to come into the

14 state.

15 Q   Okay, great.

16   MR. FISCHER: Judge, I'd like to have an

17 exhibit marked. Thank you. Judge, I think I -- my

18 number would be 107, is that -- 108, I'm sorry.

19 BY MR. FISCHER:

20 Q   Mr. Busch, you testified that Governor Kehoe

21 signed Senate Bill 4 that includes the requirement

22 the electric companies have a large load tariff --

23 I'm sorry, you -- I didn't hear.

24   REGULATORY LAW JUDGE WALKER: I'm sorry,

25 Mr. Fisher, I don't mean to interrupt you. This

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Exhibit 108, are you -- are you offering it for

2   admission?

3   MR. FISCHER: No, I'm not. I'm just going

4   to ask him some questions about whether he agrees

5   with a couple concepts.

6   REGULATORY LAW JUDGE WALKER: Okay. Thank

7   you.

8   BY MR. FISCHER:

9   Q   I'd like to show you a press release and ask

10   you a couple of questions about whether you agreed

11   with some of the statements.

12   Governor Kehoe stated with this legislation,

13   Missouri is well positioned to attract new industry,

14   support growth and maintain affordable, reliable

15   energy for our citizens.

16   My question to you is: Do you agree that the

17   large load tariffs that will be approved in this

18   case should be designed to make Missouri well

19   positioned to attract new industry?

20   A   I believe Staff's tariffs do do that.

21   Q   So you think that that's what one of the goals

22   should be for the Commission, is to make sure the

23   tariffs are designed to attract new industry?

24   A   Yes.

25   Q   Good. Do you agree that it's the state's

1 policy to attract new industry, support growth and

2 maintain affordable, reliable energy for our

3 citizens?

4 A   I have -- yeah, I think that attracting

5 economic development of all sorts, not putting all

6 of our eggs in one basket, to have a diverse

7 economic development with a diverse industry in the

8 state of Missouri is ultimately a good thing for the

9 state and all citizens.

10 Q   Well, the state has an entire department that

11 has the principle responsibility to promote economic

12 development within our state, right?

13 A   And we used to be a part of it, that's correct.

14 Q   Yeah. We're now called what, insurance of

15 commerce?

16 A   Commerce -- yeah, commerce and industry.

17 Q   Okay.

18 A   DCI.

19 Q   In this case, the Commission's being asked to

20 review two different distinct versions of the

21 conceptual tariffs to serve the large load

22 customers, wouldn't you agree with that?

23 A   Yes. There are two different tariff mechanisms

24 that are in front of the Commission at this stage.

25 Q   The Evergy tariff was attached to Brad Lutz's

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 testimony, and I believe the second conceptual

2 tariff developed by the Commission Staff was

3 attached to the Staff report at Appendix 2,

4 Schedules 1 through 5. Is that what your

5 understanding is?

6 A   I believe so. I think they've both been

7 modified through a stipulation for Evergy, and then

8 we've modified ours on surrebuttal with Ms. Lange's

9 testimony.

10 Q   And I wasn't sure if I caught the answer, but

11 did you tell Mr. Lowery that Staff did not begin

12 with the Evergy tariff and make track changes and

13 then redline it, or did you say that they did that?

14 A   I know that we provided some redlines to Evergy

15 when they provided us information back in February.

16 I don't know if it was a redline to the actual

17 tariff or redline to concepts. I mean, that's been

18 six, seven months ago. I cannot remember exactly.

19 Q   Right. But the tariff that the Staff filed and

20 is recommending in this case is not that marked up

21 version of Evergy's tariff?

22 A   That is correct.

23 Q   They are considerably different, distinct, the

24 two versions, right?

25 A   I believe so.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Q   Well, in evaluating these two tariff

2   approaches, would you agree that the Commission

3   should approve a tariff that appropriately balances

4   the risks and the benefits presented by new large

5   load customers?

6   A   I believe the Commission should take into

7   consideration all aspects of what their duty is to

8   make sure that the rates that are charged to all

9   consumers are just and reasonable and not unduly

10   discriminatory.

11   Q   And promote the public interest, right?

12   A   Promote the public interest, absolutely.

13   Q   And would you agree the part of that public

14   interest is economic development for Missouri?

15   A   I do believe economic development can be

16   considered part of the public interest.

17   Q   Would you also agree that tariffs should

18   establish reasonable protections and safeguards for

19   existing customers?

20   A   I 100 percent agree that that has to be taken

21   into consideration.

22   Q   And would you agree that the tariffs should be

23   designed to reasonably ensure that the new large

24   load customers will pay their fair share of the

25   system costs associated with serving their loads?

 1   A   I think the new tariff should be -- allow for

 2   all sorts of large load customers to come in, and

 3   they should -- yeah, they should have to pay for

 4   their loads.

 5   Q   Would you agree that the tariff should provide

 6   a competitive rate program that will help drive

 7   economic development in the state of Missouri?

 8   A   I think that it should be a just and reasonable

 9   rate, and so I think -- you know, I get a little

10   nervous over time when you start using utility rates

11   for broader economic goals.

12   Q   But I believe you did say that's part of the

13   public interest.

14   A   It's part of the public interest, but it's not

15   the sole. And I think affordability is part of the

16   public interest as well.

17   And so if you go down a path where you're

18   giving competitive rates, which would be lower and

19   lower rates for a particular class that causes the

20   rates for, say, residentials or small general

21   service customers to go up so the affordability

22   becomes a problem, then I think you have to be --

23   you have to weigh those interests. And those are

24   very distinct interest.

25   Q   And you believe the Commission could do that?

 1   That's what they do --

 2   A   I believe that is --

 3   Q   -- throughout --

 4   A   -- the Commission's role.

 5   Q   -- history, right? Do you believe that it's

 6   important that the approved tariff be supported by a

 7   diverse range of stakeholders including the

 8   customers that will be served under the tariff

 9   provisions?

10   A   I think there's a lot more stakeholders that

11   should be involved in that determination than just

12   those customers and the utility, yes.

13   Q   Okay. Well, let's -- well, we'll go there in a

14   minute. But you're suggesting there's not enough

15   people involved in this room, is that what you're

16   saying?

17   A   Well, I know when we get into a rate case,

18   we're going to have other large industrial

19   customers. I think we have some of those in the

20   Ameren case.

21   Other than public counsel, I don't think

22   there's any consumer groups that are involved that

23   are going to be impacted by how these rates are

24   ultimately developed and how those will impact the

25   overall rates.

1   So, yeah, there is a large amount of

2   stakeholders who are generally in electric --

3   utility rate cases that are going to be impacted by

4   the decisions that are made out of these cases.

5   Q   Is it -- is it your understanding that

6   typically the Commission balances the interests of

7   customers and shareholders of the Company?

8   A   That is their task.

9   Q   And the goal is to set just and reasonable

10   rates for the customers of the regulated Company and

11   promote the public interest, right?

12   A   All customers, yes.

13   Q   Now, it's your understanding that Evergy,

14   Google, the Data Center Collision and several other

15   parties that are in this room, Nucor Steel, Velvet

16   Tech, Renew Missouri, Sierra Club, Ameren Missouri,

17   and the Empire District Electric Company have

18   entered into a nonunanimous stipulation and

19   agreement, which does recommend the approval of a

20   modified version of the Evergy tariff, right?

21   A   That is my understanding.

22   Q   And staff's not a signatory, clearly?

23   A   That is correct.

24   Q   Evergy, I think we've all heard in the opening,

25   has also entered into a unanimous agreement in

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 Kansas before the Kansas Corporation Commission,

2 which recommends that the KCC approved a similar

3 large load tariff that would affect Evergy's large

4 load customers in Kansas, is that right?

5 A   That is my understanding.

6 Q   Now, Mr. Gunn attached that stipulation for

7 Kansas to his testimony. Did you happen to look at

8 that?

9 A   I was able to glance at it. I wasn't able to

10 read it very closely.

11 Q   Okay. Well, let's -- I'd like to show it to

12 you just for a minute. And I'm going to refer to

13 Mr. Gunn's schedule -- I'm going to refer to

14 Mr. Gunn's schedule KDS1 and pages 34, 35 and 36.

15 It'll be a simple task because --

16 A   That's a lot of paper for a simple task.

17 Q   I just -- I just want you to ask -- or to

18 verify that that's the signature page to the

19 stipulation and that the Commission Staff at the KCC

20 is a signatory to it.

21 A   Yes, excuse me, it appears so.

22 Q   And is the citizen's utility rate board curve,

23 which is a column over there, the equivalent of our

24 public counsel a signatory?

25 A   Yes, they are.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   Q   And is Evergy a signatory?

2   A   Yes.

3   Q   And Google is?

4   A   Yes.

5   Q   And the Data Center Collision is?

6   A   Yes.

7   Q   And are there some large industrial customers

8   represented there?

9   A   It appears so.

10   Q   Would you read those or tell me who they are?

11   A   It looks like Goodyear Tire and Rubber Company,

12   the Kansas Industrial Consumer's Group, which I

13   don't exactly who's all included in that.

14   Associated Purchasing Services, I'm not

15   familiar with them. Occidental Chemical Corp., and

16   Spirit Aero Systems, Inc. And then it looks like,

17   one, two, three, four, four school districts and a

18   paper company.

19   Q   Okay. And is there anybody else? Is Sierra

20   Club on there?

21   A   Sierra Club is also on there as well.

22   Q   And NDRC [sic]?

23   A   NRDC as well, yes.

24   Q   Anybody else that I missed?

25   A   That appears to be everybody.

1 Q   Okay. So that diverse group, at least, is

2 recommending that the Commission in Kansas approve

3 the tariff that is very to the one in Missouri,

4 right?

5 A   I believe so, but I also -- it's my

6 understanding and Staff as witnesses that can

7 further discuss the differences between the

8 regulatory structure and Kansas versus Missouri as

9 well.

10   So there might not be similarities,

11 necessarily, between Kansas and Missouri that allow

12 these consumers to agree to that.

13 Q   You're not the witness who would talk about

14 that, though, right?

15 A   I am not the witness. I think Ms. Lange or Mr.

16 Lubert would be happy to talk about the differences.

17 Q   Is it your understanding that both the Missouri

18 stipulation and the Kansas stipulation recommend the

19 approval of a rate design that includes the same

20 rate elements as per charge, facility's charge,

21 those kinds of rate elements?

22 A   I haven't looked at them that closely to be

23 able to opine on that.

24 Q   Have you read the position statements in this

25 case?

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   A   Not all of them.

2   Q   Is it your understanding that Google the Data

3   Center Collision and Velvet Tech are not supporting

4   the adoption of Staff's proposed conceptual tariffs

5   in this case?

6   A   I think that's my understanding.

7   Q   And it's also your understanding, I'm sure from

8   your cross from Mr. Lowery, that Ameren's not

9   supporting the Staff's proposed conceptual tariffs,

10   right?

11   A   I got that feeling today, yes.

12   Q   Now, customers like Google or other data

13   centers could choose to locate in Kansas City,

14   Missouri, or they could go to Kansas, right?

15   A   Assuming location and everything else, yes.

16   There are other factors they could consider but,

17   yes.

18   Q   Let's assume that the KCC adopts the proposed

19   unanimous stipulation that's pending in the Kansas

20   load case. Would you make that assumption with me?

21   A   Okay.

22   Q   And let's also assume that the Missouri

23   Commission adopts the Staff's recommendations on the

24   tariff provision in this case. You understand my

25   assumption so far?

1 A   I believe so.

2 Q   Now, under those assumptions, wouldn't you

3 expect the large load customers to locate their

4 facilities in Kansas rather than Missouri, holding

5 other factors constant?

6 A   I don't know necessarily. I mean, there are a

7 lot of factors that I think the data centers would

8 be looking at when they decide to locate in one area

9 versus another area.

10   And so I believe it would be a factor that they

11 would consider, but it may not be the deciding

12 factor.

13 Q   Well, let me ask you this, under those

14 assumptions and based upon the testimony they filed

15 in this case, would you expect the large load

16 customers to locate their new facilities in Kansas

17 rather than Missouri?

18 A   I don't know that I would expect them to.

19 Q   No? Okay.

20   MR. FISCHER: Your Honor, I think that's

21 all the questions I have. Thank you.

22   REGULATORY LAW JUDGE WALKER: Any other

23 Commission questions? Okay. Okay, recross? Do we

24 have any recross?

25   MR. LOWERY: There's no bench questions.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 So there would be no recross. You'd move directly

2 to redirect.

3   REGULATORY LAW JUDGE WALKER: I'm so glad

4 you're here. Redirect?

5   MS. HANSEN: Thank you. Just a few

6 questions for redirect.

7   REDIRECT EXAMINATION

8 BY MS. HANSEN:

9 Q   Mr. Busch, are you aware of Ameren providing

10 Staff a copy of its proposal before filing an

11 ET-2025-0184?

12 A   I cannot remember if they did or did not.

13 Q   That's fair. Did Staff ask Evergy who

14 potential customers were?

15 A   I believe we did.

16 Q   Did Evergy provide that information?

17 A   They did not provide us a list of the

18 customers.

19 Q   Did Staff ask intervening customers about

20 expected energy demand requirements?

21 A   We asked a lot of questions. I cannot remember

22 exactly if we asked that question. I would assume

23 we did, but I don't know for sure.

24 Q   Does Staff -- does Staff's deferral -- does

25 Staff's deferral recommend remove recovery on rate

1   base or double recovery?

2   A   I'm sorry, could you repeat that, please?

3   Q   Absolutely. Does Staff's deferral

4   recommendation remove recovery on rate base or

5   double recovery?

6   A   I'm sorry, I just -- I'm not quite catching

7   what you're asking me. I'm sorry.

8   Q   All right, I'm gong to try it one more way.

9   Does Staff's deferral recommendation mitigate the

10 risk of double recovery?

11 A   Yes.

12 Q   All right. Is the utility compensated for

13 avoided kilowatt hours under MIA?

14 A   I believe so.

15 Q   Is Evergy requesting to retain all additional

16 revenues under LLPS?

17 A   I believe so.

18 Q   Is the utility compensated for generation not

19 built under MIA?

20 A   Yes.

21 Q   Is Staff's concerns with variable loads that it

22 is unpredictable or that data centers can exacerbate

23 peaks?

24   MR. LOWERY: Objection. All these

25 questions are leading.

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   REGULATORY LAW JUDGE WALKER: Overruled.

2   MADAM COURT REPORTER: Who asked the

3   objection?

4   MR. LOWERY: Jim Lowery.

5   MADAM COURT REPORTER: Okay, thank you.

6   Sorry.

7   A   Could you repeat that question?

8   BY MS. HANSEN:

9   Q   Absolutely. Is Staff's concerns with variable

10   loads that it's unpredictable or that data centers

11   can exacerbate peaks?

12   A   Yes.

13   Q   Do utilities time rate to coincide with the

14   addition of new plant not considered in a previous

15   rate case?

16   A   Could you repeat that, please?

17   Q   Absolutely. Do utilities time -- do utilities

18   time rate cases to coincide with the addition of new

19   plant not considered in a previous rate case?

20   A   Yes.

21   Q   Are you aware if units can be bid as price

22   takers and may generate at a loss?

23   A   Are you asking can certain generation

24   facilities have a loss? I believe that's correct.

25   Q   Would you defer to Sarah, Jay (phonetic) --

1   sorry, Sarah, Jay, Mike or Shawn on this?

2   A   I would definitely defer to other Staff experts

3   on this.

4   Q   Is Staff's recommendation meant to address the

5   risks you discussed on the stand?

6   A   Yes. It is -- Staff is -- you know, we have

7   risks that we think that are out there that the data

8   centers can bring. And that is we don't want to

9   create barriers to entry to other large customers or

10 other industrial customers at all.

11   So it is my opinion that Staff has developed a

12 proposal that will address those concerns.

13 Q   Is it Staff's position that the Commission only

14 has two options, approve the stip or order Staff's

15 recommendation?

16 A   No. I think -- as it was pointed out, you

17 know, I think there could be bits and pieces of both

18 that could be utilized. I think the Commission has

19 the ability and the authority to develop the

20 appropriate tariff that they think is right.

21   If there are aspects of the Evergy tariff. If

22 there are aspects of the Staff tariff or if the

23 Commission wants to put it's own way in, I think the

24 creation of a working docket would also be a

25 potential outcome of this.

1 Q   Is the utility regulation in Missouri the same

2 as Kansas?

3 A   I don't think that -- I don't think the

4 structures are the same exactly.

5 Q   Do you believe that Missouri already has more

6 inherent factors making it a more attractive

7 location than Kansas? For example, more diverse

8 population, geographic variability, rural versus

9 urban?

10 A   Yeah, I think -- I think I touched on that a

11 little bit earlier. You know, Missouri has -- you

12 know, we have St. Louis on the east side of the

13 state. We have Kansas City on the west side of the

14 state.

15   You know, we are fortunate to have the

16 Mississippi and Missouri rivers flowing through it.

17 You know, I think Kansas -- and I could be wrong,

18 I've driven through there a few times to go to

19 Colorado.

20   There's a lot of -- once you get out of the

21 eastern part of Kansas, there's not, you know, a lot

22 of population.

23   So I think that, you know, Missouri does offer

24 some of those other intangible benefits, not

25 intangible, but actual benefits of population. You

 1 know, other factors that would sway a large data

 2 center or a large industrial customer at any level

 3 to come to Missouri.

 4 Q   And lastly, this is the last question for you,

 5 Mr. Busch, what is the most important aspect of your

 6 testimony that you would like the Commission to take

 7 away today?

 8 A   I think just to be concerned. You know, AI,

 9 the data centers, you know, it's a -- it's a bubble.

10 I mean, it was brought up today.

11   There's a lot of money being flowed into data

12 centers and to AI and nobody sitting in this room

13 today and I don't think anybody in the world can

14 tell you where it's going to be five or ten years

15 from now.

16   And, you know, I think back to, you know, the

17 dot-com bubble of the late '90s and early 2000s

18 where everybody was pouring money into anything that

19 had a dot-com on it's name. And that bubble burst.

20   And it drove the whole country into a recession

21 at that time. The housing bubble that we

22 experienced just, you know in the late 2000s, in the

23 late aughts, a lot of money into assets. That

24 eventually burst, you know.

25   This goes all the way back to the Dutch back in

1   the 1600s with the tulip bubble. This -- nobody

2   knows where this is going to end, and you know,

3   there are -- there are, you know, protections that

4   are built in, even to the Evergy plant. And I

5   acknowledge that.

6   But they are for 12, 15, 20 years. When these

7   facilities get built, they're going to be online for

8   30 or 40 years. What happens after that?

9   What happens after, you know, if those

10 facilities are no longer needed because, one, the

11 entity doesn't exist anymore, or, two, they find a

12 more efficient way to do this?

13   You know, we saw that happen earlier this year

14 with DeepSeek, right. It's my guess that Google and

15 Meta and -- all of those are fiercely looking for a

16 way to do this process in a more efficient way.

17   They are spending millions of dollars, millions

18 of dollars on electric costs. If I'm one of them,

19 I'm thinking I'm going to spend millions of dollars

20 to find ways not to keep having to spend millions of

21 dollars in electricity costs.

22   But once Evergy or once Ameren puts that steel

23 in the ground and it's there, who's going to pay for

24 it? I don't want to see Ameren go bankrupt. I

25 don't want to see Evergy go bankrupt. I don't want

1 to see the rest of the rate payers have to pay for

2 it.

3 So I think what the takeaway is, just be

4 cautious and make sure that you, Commission, you

5 make a decision that will set the state up so we're

6 not putting all of our eggs into one basket, so that

7 we attract data centers when we need them, we

8 attract other industrial customers.

9 They're going to be -- industries that we don't

10 even know are going to be able to exist in the next

11 10 or 15 years, probably.

12 Let's make sure that all those customers have a

13 place to come in Missouri so we can develop an

14 economy that is diverse and is in the public

15 interest for everybody.

16 Q   No more questions. Thank you very much, Mr.

17 Busch.

18 MR. PRINGLE: And, Judge Walker, just a

19 quick clarification having to go back to when Evergy

20 Witness Jason Klindt was on the stand, the DR that

21 Chair Hahn was asking about, it was not the DR92 it

22 was DR34, which is still in the Appendix attached to

23 Mr. Busch's testimony, Appendix 2 Schedule 5. It is

24 not the complete response to that DR, due to the

25 complete response having potential highly

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 confidential information. But that is where the DR

2 that Chair Hahn was asking questions about earlier,

3 that's where it's currently at.

4   REGULATORY LAW JUDGE WALKER: Staff, would

5 you like to call your next witness?

6   MR. PRINGLE: Yes. Just looking for our

7 order of witness right now to figure out who we're

8 calling next.

9   REGULATORY LAW JUDGE WALKER: You have

10 Shawn Lange listed here.

11   MR. PRINGLE: There we go, Judge Walker.

12 Thank you very much. Staff calls Mr. Lange to the

13 stand.

14   REGULATORY LAW JUDGE WALKER: Mr. Lange,

15 can you raise your right hand? Do you swear to tell

16 the truth, the whole truth and nothing but the truth

17 so help you God?

18   THE WITNESS: I do.

19   REGULATORY LAW JUDGE WALKER: You may be

20 seated.

21   SHAWN E. LANGE,

22   THE WITNESS HEREINBEFORE NAMED, having

23 been first duly cautioned and sworn to tell the

24 truth testified as follows, to-wit:

25   DIRECT EXAMINATION

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   BY MR. PRINGLE:

2   Q   Good afternoon, Mr. Lange.

3   A   Good afternoon.

4   Q   And could you, please, state and spell your

5   name for the record?

6   A   My name is Shawn, S-H-A-W-N, E. Lange,

7   L-A-N-G-E.

8   Q   And Mr. Lange, by whom are you employed and in

9   what capacity?

10   A   I am employed by the Missouri Public Service

11   Commission Staff as a senior professional engineer.

12   Q   And are you the same Shawn Lange who

13   contributed to the Staff recommendation rebuttal

14   report, which has been pre labeled as Staff Exhibit

15   201?

16   A   Yes.

17   Q   And are the contributions that have made to the

18   Staff recommendation rebuttal report true and

19   correct to the best of your belief and knowledge?

20   A   Yes.

21   Q   At this time, do you have any additions or

22   corrections to make to your contributions to the

23   Staff recommendation and rebuttal report, which has

24   been premarked Staff Exhibit 201?

25   A   Not that I'm aware of.

1 Q   Thank you, Mr. Lange.

2   MR. PRINGLE: And, Judge, since we have a

3 few more witnesses who are coming up who have

4 contributed to the report, we will not be entering

5 it on the record at this time. So I do now tender

6 Mr. Lange for cross-examination.

7   REGULATORY LAW JUDGE WALKER: All right.

8 Office of Public Counsel?

9   MR. CLIZER: No questions. Thank you,

10 Your Honor.

11   REGULATORY LAW JUDGE WALKER: Velvet Tech

12 Services? Data Center Coalition?

13   MR. VIJAYKAR: No questions, Your Honor.

14   REGULATORY LAW JUDGE WALKER: Google, LLC?

15   MR. SCHULTE: No questions. Thank you.

16   REGULATORY LAW JUDGE WALKER: Sierra Club?

17   MS. RUBENSTEIN: No questions. Thank you.

18   REGULATORY LAW JUDGE WALKER: Renew

19 Missouri? Ameren Missouri?

20   MR. LOWERY: I have a few, Your Honor.

21   CROSS-EXAMINATION

22 BY MR. LOWERY:

23 Q   Afternoon, Mr. Lange.

24 A   Good afternoon.

25 Q   You, I believe, run Staff's production cost

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 model in rate cases, right?

2 A   I am one of the engineers that does that work.

3 Q   You have a lot of experience with production

4 cost modeling in rate cases, though, is that fair to

5 say?

6 A   I've been here a while. I have --

7 Q   I didn't mean to date you. Am I correct that

8 Staff develops historical, locational, marginal

9 price averages, generally speaking, but usually

10 links them all to a year average of what LMPs have

11 been in the market and develops prices using those

12 market prices that it uses to run its production

13 cost model?

14 A   Could you repeat the question, please?

15 Q   Well, there's some -- you know, whether it's --

16 it could be the test year, it could be the trued up

17 test year, it could be a multi-year average.

18   But Staff looks at historical, locational,

19 marginal prices, in Evergy's case, it would be for

20 SPP, and comes up with market prices that are an

21 input into its production cost modeling, right?

22 A   Yes.

23 Q   And those are market prices for energy, right?

24 A   Typically, they had, but, yes.

25 Q   Okay. And, of course, it does the same thing

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1 for fuel as well. It comes up with fuel prices and

2 it inputs those into production cost model, right?

3 A   Yes.

4 Q   And the model dispatches the utility's

5 generation using assumed fuel and variable operating

6 costs and those market energy prices for energy,

7 right?

8 A   And some other inputs. But, generally, yes.

9 Q   And what you're trying to do is you're trying

10 to come up with the production -- what it cost those

11 generators that are owned by that utility that are

12 in that rate case, you're trying to figure out what

13 those generators -- what it costs for them to

14 produce megawatt hours of energy, right?

15 A   For that normalized load based upon the fuel

16 prices and market prices, yes.

17 Q   And you or, you know, Mr. Busch's team, the

18 folks that are responsible for production cost

19 modeling, you then feed those production cost

20 modeling results, those dispatch results to the

21 auditors who then use them as one of the inputs into

22 their revenue requirement development, right?

23 A   We, typically, provide the results to the

24 auditing staff as well as energy resources staff.

25 Q   And what's the energy resource's staff role

1 with those? What do they do with them?

2 A   I think that goes into FAC and setting the

3 base.

4 Q   Okay. Okay. Do you know how the auditing

5 staff uses the results of your production cost model

6 in developing the revenue requirement?

7 A   They have described what they have done, but

8 it's been so long since I have looked at that. I

9 can't recall.

10 Q   Well, let me probe that just a little bit. You

11 understand, do you not, that they take your

12 production costs, you know, in Evergy's case, get

13 production cost for Hawthorne and Wolf Creek and

14 (indiscernible) and (indiscernible) and all their

15 other units.

16   They take those production costs that have been

17 developed through your modeling, and those

18 production costs become one of the -- one of the

19 inputs into the revenue department, right?

20 A   That is my understanding, yes.

21 Q   And the production cost, you know, you're going

22 to have costs, you know, you're going to have fuel

23 and other things to run the generating plants, but

24 you're also going to have some revenues from all

25 system sales that's offsetting some of that cost,

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1 right?

2 A   There will be revenues from the dispatch of the

3 units that could be inferred to be all-system sales.

4 Q   Okay.

5 A   Yes.

6 Q   Have you ever heard of the phrase "true

7 purchase power"?

8 A   I believe so.

9 Q   Do you know what it is? When I use that term,

10 do you know what I mean?

11 A   Not right -- right here right now, no.

12 Q   Let me ask you a few questions. You were

13 around when this was happening, maybe you'll

14 remember.

15   Do you recall that there was a debate, I think

16 it was about a decade or so ago, about whether or

17 not all of the transmission costs that utilities

18 incur from the RTO associated with energy, whether

19 all of those transmission costs should be included

20 in the fuel adjustment clause or whether only some

21 subset of the transmission costs should be included

22 in the fuel adjustment clause. Do you remember

23 that?

24 A   I remember some of that debate, yes.

25 Q   And do you recall that the Commission decided

1 that even though utilities sell all of their

2 generation into the market, all the megawatt hours

3 they produce, and then they buy all the -- all the

4 megawatt hours their load consumes from the market.

5   And what the -- what the Commission decided was

6 they were going to look at the net of those. And to

7 the extent the utility produced megawatt hours, the

8 Commission said transmission charges associated with

9 that quantity of megawatt hours are not true

10 purchase power, and whatever that percentage is,

11 we're not going to allow in the FAC. Do you recall

12 that?

13 A   Vaguely. But not a great understanding of

14 that, no.

15 Q   Would you agree that the cost to generate a

16 megawatt hour of electricity for Evergy is not equal

17 to the market price of energy in a given hour except

18 by coincidence?

19 A   Could you repeat the question, please?

20 Q   Do agree that the cost for Evergy to generate a

21 megawatt of electric power of electricity from its

22 generators will not equal the market price of energy

23 in that same hour except by coincidence?

24 A   So when you say "market price," are you

25 including the losses? I guess --

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

1   Q   I'm including -- I'm saying the LMP. So the

2   production cost, what it cost -- what it costs

3   Evergy to generate a megawatt hour of electricity in

4   hour 23 on, you know, today --

5   A   Yes.

6   Q   -- September 30th or whatever --

7   A   Yes.

8   Q   -- that's not going to match the LMP in that

9   same hour on that day except by coincidence, is it?

10   A   When you say "except by coincidence," if that

11   unit was the last one dispatched or the last one

12   dispatched to meet the load in that hour, then in

13   theory, it should be the cost of that unit.

14   Q   Well, the -- so the marginal unit, it would be

15   for that hour, right?

16   A   Yes.

17   Q   But all its other units are not going to -- are

18   not going to match the market price, right?

19   A   Each unit would have a specific price, and

20   those prices differ among the units.

21   Q   Well, let me backup. I agree with you that the

22   marginal unit -- if Evergy's unit is the marginal

23   unit, it's going to get the market price for its

24   generation, right? I agree with that.

25   A   Yes.

1 Q   Right?

2 A   Correct.

3 Q   So that doesn't mean that's what it costs

4 Evergy to produce it, does it?

5 A   Correct. The unit could be bid at a --

6 depending on the utility, depending on how the

7 utility hits those units, there could be a

8 difference between the bid price and the accounting

9 price of the fuel for that unit in that hour.

10 Q   When you give production costs to the auditing

11 Staff for the revenue requirement, you're not giving

12 them a market price as the production cost for those

13 units, are you? You're giving it a production cost

14 based upon the various inputs, fuel, et cetera, that

15 you used to figure out what the dispatch would be,

16 right?

17 A   I give them the amount of fuel burn; I give

18 them the fuel cost of that fuel burn; I give them an

19 amount of revenues associated with that fuel burn; I

20 give them an amount of expense of the load in that

21 hour for -- or when that fuel burn happened, if you

22 will, and zip it up to the year that we are looking

23 at.

24 Q   Okay. Thank you, Mr. Lange.

25   MR. LOWERY: No further questions, Judge.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   REGULATORY LAW JUDGE WALKER: Thank you,

 2   Mr. Lowery. Any questions from Evergy?

 3   MS. WHIPPLE: No. Thank you, Judge.

 4   REGULATORY LAW JUDGE WALKER: Okay.

 5   Staff, do you have any redirect?

 6   MR. PRINGLE: Yes, Judge. Thank you.

 7   Very brief.

 8   REDIRECT EXAMINATION

 9   BY MR. PRINGLE:

10   Q   Good afternoon, again, Mr. Lange.

11   A   Good afternoon.

12   Q   So just kind of based on some of the discussion

13   you had with Mr. Lowery earlier, what role do fuel

14   prices play in the cost of energy to serve load?

15   A   Fuel prices help to determine the dispatch

16   price of the given unit that you're looking at. So

17   in the case of, you know, production cost modeling,

18   you're looking at all of the units.

19   So we are looking at, you now, the heat-rate

20   curve for that unit, so the efficiency of that unit,

21   as well as the cost of fuel burned.

22   So it will -- the fuel model will come up with

23   a dispatch price for that unit and compare that to,

24   I'd say, market prices in that hour. And then based

25   on the difference there is whether or not that unit

1　gets dispatched.

2　Q　And then how do market prices play in that

3　analysis?

4　A　So the way Staff's production cost model is set

5　up, all of the coal plants, all of the natural gas

6　plants, they will look to a market price.

7　　So there may be differences among how staff

8　models this among the different utility companies.

9　It may be such that you have a locational marginal

10　price that is solely that unit.

11　　You may have an aggregate price that is, kind

12　of, the aggregate of all of the units that you're

13　comparing against.

14　　But the market prices are used to dispatch

15　those units in that given hour.

16　Q　And just one moment, Mr. Lange.

17　　　MR. PRINGLE:　Nothing more from Staff,

18　Judge.　Thank you very much.

19　　　REGULATORY LAW JUDGE WALKER:　Thank you.

20　Does anyone have an objection to this witness being

21　excused?　Hearing no objections, Mr. Lange, you are

22　excused.

23　　　THE WITNESS:　Thank you.

24　　　MR. PRINGLE:　Thank you, Judge.　And I

25　think next on Staff's list is Mr. Michael Stahlman.

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

 1   REGULATORY LAW JUDGE WALKER: Do you swear

 2   to tell the whole truth and nothing but the truth so

 3   help you God?

 4   THE WITNESS: I do.

 5   REGULATORY LAW JUDGE WALKER: You may be

 6   seated.

 7   MR. PRINGLE: And may I proceed, Judge?

 8   REGULATORY LAW JUDGE WALKER: Please.

 9   MR. PRINGLE: Thank you very much.

10   MR. MICHAEL STAHLMAN,

11   THE WITNESS HEREINBEFORE NAMED, having

12   been first duly cautioned and sworn to tell the

13   truth testified as follows, to-wit:

14   DIRECT EXAMINATION

15   BY MR. PRINGLE:

16   Q   Good afternoon, Mr. Stahlman.

17   A   Good afternoon.

18   Q   Could you, please, state and spell your name

19   for the record.

20   A   Michael L. Stahlman, M-I-C-H-A-E-L, L.,

21   S-T-A-H-L-M-A-N.

22   Q   Thank you, Mr. Stahlman. And by whom are you

23   employed and on what capacity?

24   A   The Missouri Public Service Commission as an

25   economist.

1 Q   And are you the same Michael L. Stahlman who

2 contributed to Staff's recommendation and rebuttal

3 report, which has been premarked as Staff Exhibit

4 Number 201?

5 A   Yes.

6 Q   And today, are your contributions to that

7 recommendation and rebuttal reports true and correct

8 to the best of your belief and knowledge?

9 A   Yes.

10 Q   And do you have any additions or corrections to

11 make to your contributions to Exhibit 201 at this

12 time?

13 A   No.

14 Q   Thank you, Mr. Stahlman.

15   MR. PRINGLE: Again, Judge Walker, we have

16 a few more witnesses coming up who contribute to the

17 reports. So we will not be entering it on the

18 record at this time. But I do tender Mr. Stahlman

19 for cross-examination.

20   REGULATORY LAW JUDGE WALKER: Very good.

21 Office of Public Counsel?

22   MR. CLIZER: No questions. Thank you.

23   REGULATORY LAW JUDGE WALKER: Velvet Tech

24 Services, do you have cross-examination? Data

25 Center Coalition?

1   MR. VIJAYKAR: No questions, Your Honor.

2   Thank you.

3   REGULATORY LAW JUDGE WALKER: Google, LLC?

4   MR. SCHULTE: No questions. Thank you,

5   Judge.

6   REGULATORY LAW JUDGE WALKER: Sierra Club?

7   MS. RUBENSTEIN: No questions. Thank you.

8   REGULATORY LAW JUDGE WALKER: Renew

9   Missouri? Ameren Missouri?

10   MR. LOWERY: No questions. Thanks.

11   REGULATORY LAW JUDGE WALKER: Evergy?

12   MR. BAILEY: No questions. Thank you.

13   REGULATORY LAW JUDGE WALKER: Okay. We'll

14   go to Commissioner questions. Hearing no

15   Commissioner questions, any redirect?

16   MR. PRINGLE: No, Judge. Nothing asked.

17   REGULATORY LAW JUDGE WALKER: Okay. Does

18   anyone have an objection to excusing this witness?

19   Hearing none, Mr. Stahlman, thank you. You are

20   excused.

21   MS. HANSEN: Staff would next like to call

22   Ms. Brooke Mastrogiannis, and we will need to do a

23   little bit of musical chairs as well.

24   REGULATORY LAW JUDGE WALKER: Okay. Can

25   you raise your right hand, please?

1   THE WITNESS: Yes.

2   REGULATORY LAW JUDGE WALKER: You do swear

3   to tell the truth, the whole truth and nothing but

4   the truth so help you God?

5   THE WITNESS: I do.

6   REGULATORY LAW JUDGE WALKER: Thank you.

7   Staff, when you're ready.

8   BROOKE MASTROGIANNIS,

9   THE WITNESS HEREINBEFORE NAMED, having

10 been first duly cautioned and sworn to tell the

11 truth testified as follows, to-wit:

12   DIRECT EXAMINATION

13 BY MS. HANSEN:

14 Q   Please, state and spell your name for the

15 record.

16 A   B-R-O-O-K-E, M-A-S-T-R-O-G-I-A-N-N-I-S.

17 Q   By whom are you employed and in what capacity?

18 A   The Missouri Public Service Commission as a

19 utility regulatory audit supervisor.

20 Q   Did you contribute to the Staff recommendation

21 in this case, which has been previously marked as

22 Exhibit 201?

23 A   Yes.

24 Q   At this time, do you have any corrections to

25 make to your portions of Exhibit 201?

 1   A   No.

 2   Q   If I asked you the same questions today within

 3   your portions of Exhibit 201, would your answers be

 4   the same or substantially similar?

 5   A   Yes.

 6   Q   Are those answers true and correct to the best

 7   of your knowledge and belief?

 8   A   Yes.

 9   Q   Thank you.

10   MS. HANSEN: At this time, I tender Ms.

11   Mastrogiannis for cross-examination.

12   REGULATORY LAW JUDGE WALKER: All right.

13   Office of Public Counsel.

14   MR. CLIZER: I will try and keep this

15   brief.

16   CROSS-EXAMINATION

17   BY MR. CLIZER:

18   Q   Ms. Mastrogiannis -- did I get even close to

19   correct?

20   A   Yes.

21   Q   Oh, thank God. You are familiar with the FAC

22   mechanism, correct?

23   A   Correct.

24   Q   All right. I just want to have a quick couple

25   of questions to set the record on what the FAC is.

1   So if the utility has a fuel adjustment clause, then

2   during a general rate case, there is -- rates are

3   set to establish the net base energy cost for the

4   utility and include it in base rates. Is that

5   correct?

6   A   Yes.

7   Q   And then subsequent to that, at a future period

8   during a rate adjustment for the FAC, the actual net

9   energy costs are calculated. And that represents

10 the actual fuel and purchase power costs that were

11 incurred by the utility over the period of review,

12 is that accurate?

13 A   Yes.

14 Q   And so the FAC represents the difference

15 between the net-based energy cost set in base rates

16 and the actual net energy cost calculated during a

17 fuel adjustment period, is that accurate?

18 A   Yeah, the accumulation period.

19 Q   All right, thank you.

20   Again, just to establish really quick, if a

21 utility has an FAC and the net-based energy costs

22 are set during the FAC without the inclusion of a

23 large load customer and then subsequent to rates

24 being set, a large load customer comes online, the

25 Company will incur purchase power costs to serve

1 that large load customer, correct?

2 A   If there's no -- nothing -- no adjustment being

3 made after the conclusion of this case, yes, I

4 believe so.

5 Q   And if they incur costs, that will increase the

6 actual net energy cost, presumably, correct?

7 A   Correct.

8 Q   And if the actual energy cost is higher than

9 the net-based energy determined in the rate case,

10 because of the addition of that large load customer,

11 that difference will flow through the FAC, correct?

12 A   The way it currently is, yes.

13 Q   And if it flows through the FAC, it will be

14 recovered from all customers, subject to the FAC,

15 correct?

16 A   Correct.

17   MR. CLIZER: I have no further questions.

18 Thank you.

19   REGULATORY LAW JUDGE WALKER: Thank you.

20 We'll go through the list. Velvet Tech Services?

21 Data Center Coalition?

22   MR. VIJAYKAR: No questions, Your Honor.

23   REGULATORY LAW JUDGE WALKER: Google, LLC?

24   MR. SCHULTE: No questions, thank you.

25   REGULATORY LAW JUDGE WALKER: Sierra Club?

 1   MS. RUBENSTEIN: No questions. Thank you.

 2   REGULATORY LAW JUDGE WALKER: Renew

 3 Missouri? Ameren Missouri?

 4   MR. LOWERY: Just one or two, I think.

 5   CROSS-EXAMINATION

 6 BY MR. LOWERY:

 7 Q   Following up on Mr. Clizer's questions, won't

 8 there also be additional revenue generated because

 9 the base factor times the SAP -- because of the base

10 factor time the FA -- can't speak.

11   Does the base factor times SAP, those

12 additional sales, won't those additional sales from

13 that large load customer also flow the FAC?

14 A   The additional sales will be included in that

15 net-based energy cost calculation.

16 Q   Well, and the -- that means the large load

17 customer's also going to pay some of that, isn't

18 that right?

19 A   Yes.

20 Q   So not all -- not all of -- if there is an

21 increase in costs, not all of the increase in cost

22 is going to be paid for by nonLLPS customers, is it?

23 A   I don't believe I said all of them would.

24 Q   I'm just asking. I didn't -- I didn't say

25 whether you said it or not.

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   But isn't that correct, not all of the increase

2 that Mr. Clizer was talking about, assuming there is

3 an increase, is going to fall on the nonLLPS

4 customers, is it?

5 A   I believe based -- I mean, it depends on what

6 the Commission orders in this case, but if there is

7 no adjustment in the FAC and the LLPS customer is

8 not on an optional agreement that Staff recommends,

9 then, yes, I think they would pay part of that

10 increase.

11 Q   If the FAC stays the way it is, all -- they are

12 going to pay the FAC on all of their megawatt hours

13 as well, right? They come on the system, they're

14 going to also pay the FAC charge, right?

15 A   They will pay some of the FAC charge.

16 Q   Right. And so if there's an increase -- if

17 there is an increase, they'll pay some of that

18 increase, isn't that right?

19 A   I believe you just asked me that.

20 Q   Well, I'm just confirming, just looping back.

21 They will pay part of that increase in those costs

22 flowing through the FAC by paying charges under the

23 FAC, right?

24 A   Yes.

25 Q   Thank you.

 1   MR. LOWERY: No further questions.

 2   REGULATORY LAW JUDGE WALKER: Thank you.

 3 Evergy?

 4   MS. WHIPPLE: No questions, thank you.

 5   REGULATORY LAW JUDGE WALKER: All right.

 6 Commissioner questions? Okay, hearing none,

 7 redirect?

 8   MS. HANSEN: No redirect from Staff.

 9   REGULATORY LAW JUDGE WALKER: Does anyone

10 have an objection to this witness being excused?

11 Hearing none, Ms. Mastrogiannis, you are excused.

12   MS. HANSEN: Staff would like to call

13 Mr. Jordan Hull.

14   REGULATORY LAW JUDGE WALKER: Will you

15 raise your right hand. Do you swear to tell the

16 truth, the whole truth and nothing but the truth so

17 help you God?

18   THE WITNESS: I do.

19   REGULATORY LAW JUDGE WALKER: Thank you.

20 Direct examination?

21   MS. HANSEN: Thank you, Judge.

22   JORDAN HULL,

23   THE WITNESS HEREINBEFORE NAMED, having

24 been first duly cautioned and sworn to tell the

25 truth testified as follows, to-wit:

1   DIRECT EXAMINATION

2   BY MS. HANSEN:

3   Q   Good afternoon, Mr. Hull.

4   A   Good afternoon.

5   Q   Could you, please, state and spell your name

6   for the record please.

7   A   Jordan Hull, J-O-R-D-A-N, last name Hull,

8   H-U-L-L.

9   Q   By whom are you employed and in what capacity?

10 A   Missouri Public Service Commission, and I am

11 the associate engineer for energy resources.

12 Q   Are you the same Jordan Hull who contributed to

13 the Staff recommendation rebuttal report in this

14 case marked as Staff Exhibit 201, both public and

15 confident versions?

16 A   Yes.

17 Q   Do you have any changes or corrections to your

18 portion of the Staff recommendation rebuttal report

19 in this case?

20 A   I do not.

21 Q   If I asked you about the topic or topics in

22 your portion, would your answers or information be

23 the same or substantially similar to that contained

24 in your portion of the Staff recommendation?

25 A   Yes.

1   Q   That information in your portion is true and

2   accurate to your knowledge and belief?

3   A   Yes.

4   MS. HANSEN: Judge, we'll offer the Staff

5   recommendation with our last witness. At this time,

6   I tender the witness for cross-examination.

7   REGULATORY LAW JUDGE WALKER: Thank you.

8   The Office of Public Counsel, do you have

9   cross-examination questions?

10   MR. CLIZER: No, Your Honor. Thank you.

11   REGULATORY LAW JUDGE WALKER: Velvet Tech

12   Services? Data Center Coalition?

13   MR. VIJAYKAR: No, Your Honor, we do not.

14   Thank you.

15   REGULATORY LAW JUDGE WALKER: Google, LLC?

16   MR. SCHULTE: No questions. Thank you.

17   REGULATORY LAW JUDGE WALKER: Sierra Club?

18   MS. RUBENSTEIN: No questions. Thank you.

19   REGULATORY LAW JUDGE WALKER: Renew

20   Missouri? Ameren Missouri?

21   MR. LOWERY: No questions, thank you.

22   REGULATORY LAW JUDGE WALKER: Evergy?

23   MR. BAILEY: No questions, Your Honor.

24   Thank you.

25   REGULATORY LAW JUDGE WALKER: Okay. We

1 will go to Commission questions. Hearing no

2 Commission questions, any redirect?

3   MS. HANSEN: No, thank you, Judge.

4   REGULATORY LAW JUDGE WALKER: Does anyone

5 have an objection to this witness being excused?

6 Mr. Hull, you may be excused. Thank you.

7   THE WITNESS: Thank you.

8   REGULATORY LAW JUDGE WALKER: I don't have

9 any more of these sheets. Staff, would you like to

10 call your next witness?

11   MS. HANSEN: Thank you, Judge. Staff

12 calls Brad Fortson.

13   REGULATORY LAW JUDGE WALKER: Raise your

14 right hand. Do you swear to tell the truth, the

15 whole truth and nothing but the truth so help you

16 God?

17   THE WITNESS: I do.

18   REGULATORY LAW JUDGE WALKER: Thank you.

19 Direct examination by Staff.

20   MS. HANSEN: Thank you, Judge.

21   BRADLEY FORTSON,

22   THE WITNESS HEREINBEFORE NAMED, having

23 been first duly cautioned and sworn to tell the

24 truth testified as follows, to-wit:

25

1   DIRECT EXAMINATION

2   BY MS. HANSEN:

3   Q   Good afternoon, Mr. Fortson.

4   A   Good afternoon.

5   Q   Could you, please, state and spell your name

6   for the record, please.

7   A   Sure. Brad, B-R-A-D, Fortson, F-O-R-T-S-O-N.

8   Q   By whom are you employed and in what capacity?

9   A   I'm employed by the Missouri Public Service

10 Commission as the manager of the energy resources

11 department.

12 Q   Are you the same Brad Fortson who contributed

13 to the Staff recommendation rebuttal report in this

14 case marked as Staff Exhibit Number 201 both public

15 and confidential versions?

16 A   I am.

17 Q   Are you the same Brad Fortson who filed

18 surrebuttal testimony in this case marked as Staff

19 Exhibit Number 202?

20 A   I am.

21 Q   Do you have any changes or corrections to your

22 portion of the staff recommendation or your

23 surrebuttal testimony in this case?

24 A   I do not.

25 Q   If I asked you about the topics in your portion

1 and the same questions in your surrebuttal

2 testimony, would your answers or information be the

3 same or substantially similar to that contained in

4 your portion of the Staff recommendation and in your

5 surrebuttal testimony?

6 A   They would.

7 Q   The information in your portion and your

8 surrebuttal is true and accurate to your knowledge

9 and belief?

10 A   It is.

11   MS. HANSEN: Judge, I'd like to offer

12 Staff Exhibit Number 202, which is the surrebuttal

13 testimony of Brad Fortson. And, again, we'll hold

14 on the Staff recommendation with our last witness.

15   REGULATORY LAW JUDGE WALKER: Are there

16 any objections to Exhibit 202, the surrebuttal

17 testimony, Staff testimony, of Brad Fortson?

18 Hearing none, the testimony will be Exhibit 202 and

19 will be admitted.

20 [Exhibit 202 admitted.]

21   MS. HANSEN: Thank you, Judge. I tender

22 this witness for cross.

23   REGULATORY LAW JUDGE WALKER: Office of

24 Public Counsel, do you have cross examination

25 questions?

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

 1   MR. CLIZER: No questions. Thank you,

 2   Your Honor.

 3   REGULATORY LAW JUDGE WALKER: All right.

 4   Let's go through the list. Velvet Tech Services?

 5   Data Center Coalition?

 6   MR. VIJAYKAR: No questions, Your Honor.

 7   REGULATORY LAW JUDGE WALKER: Google, LLC?

 8   MR. SCHULTE: No questions.

 9   REGULATORY LAW JUDGE WALKER: Sierra Club?

10   MS. RUBENSTEIN: No questions. Thank you.

11   REGULATORY LAW JUDGE WALKER: Renew

12   Missouri? Ameren Missouri?

13   MR. LOWERY: No questions, thank you.

14   REGULATORY LAW JUDGE WALKER: Evergy?

15   MR. BAILEY: No questions. Thank you.

16   REGULATORY LAW JUDGE WALKER: Hearing no

17   cross-examination questions, do we have questions by

18   the Commissioners? Hearing no questions, any

19   redirect?

20   MS. HANSEN: No, thank you, Judge.

21   REGULATORY LAW JUDGE WALKER: Okay. Does

22   any one have an objection to excusing this witness?

23   Mr. Fortson, you are excused. I think

24   this is a good stopping place for the day.

25   We'll start again tomorrow at 9:00. Thank

1   you all for coming and for your patience, and I look

2   forward to seeing you tomorrow.

3   [Adjourned at 4:49 p.m.]

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

1   C E R T I F I C A T E

2

3   I, Jodi T. Wade, a certified court reporter of

4 Arkansas do hereby certify that the foregoing is a

5 transcript of proceedings which occurred at the time

6 and place herein designated, consisting of 318 pages

7 which was recorded by a court-approved electronic

8 sound recording means and then transcribed via a

9 computer personally by me or under my supervision,

10 and this transcript is a true, correct and complete

11 transcript of said proceedings as reflected herein

12 to the best of my ability after listening and

13 transcribing said sound recording.

14   Signed this 8th day of October, 2025.

15

16

17   Jodi T. Wade, CCR
              Official Court Reporter
18   U.S. District Courts
          Western District of Arkansas

19

20

21

22

23

24

25

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

$

$1,500 92:22

$100 99:1

$2 99:17

$20 248:23

$200 233:24

$200,000
16:21 116:17
117:1 159:2,
18

$3,000 92:2

$50 257:11,16

$500 94:15
223:14

1

1 29:9 133:4
174:12
177:11 184:9
186:22
221:19 260:8,
9 273:4

1,000-plus
187:19

1,500 77:3

10 196:7
208:24
264:12,14,15
290:11

10.6 89:4,7

100 14:12
35:6 104:4
128:8,20,24
129:11
274:20

101 197:4,17,
21 198:1

102 172:11,
18,21,25

103 180:18,
22,24 181:8

104 128:8,20,
25 129:11

105 197:5,17
198:3,7,10

106 128:8,21
129:3,11
130:4,6,7
168:10

107 194:21
195:9,10
270:18

108 270:18
271:1

11 27:5,11
84:25 227:2,
5,19

11-month
257:2

11:36 127:1

12 16:8 61:17
62:4 105:23
181:10 289:6

120 155:16

12:36 127:1

12th 180:7

13 208:24
269:20,22

130 41:13

14 180:6
181:11
269:20,22

15 183:12
255:17,22
256:5,7
260:21 261:4
289:6 290:11

158.1 133:3

16 183:12

1600s 289:1

167 94:21

17 58:7
260:21

18 266:24

19 153:20
221:18

19.99 248:24

1913 26:14

1990s 100:2

19th 141:14
142:4,6 210:9

1:57 196:10

2

2 134:3
177:11,14
181:10
208:23
264:12,14
266:23 273:3
290:23

2,500 229:19
230:3

20 97:9 105:9,
21 242:15
256:6,7 265:8
289:6

200 159:20
207:18,21

208:3,11,17

200,000
159:16

2000s 100:2
288:17,22

201 292:15,24
304:4,11
306:22,25
307:3 313:14
316:14

2015 227:10

2019 204:22

202 316:19
317:12,16,18,
20

2022 77:10

2023 99:10

2024 99:10,18
138:20 188:5

2025 4:5 12:7
64:8 98:19
138:20 183:3
188:6

2026 13:16

2029 99:4

2030 99:18
113:9

208 143:3,4,
11

209 182:21
183:5,8

21st 39:22

22 260:7

23 299:4

232 227:11

235 227:12

23rd 141:13
142:5,7,8
210:10

24 62:10

25 12:7 16:20
62:9,12 71:3,
8 88:24
242:15 265:3

25-megawatt
107:1

25th 64:7

29 15:15

29th 4:4

2:11 196:10

3

3 135:17,23

3,250 230:2
231:11

30 105:15,17
118:25
231:14,21
289:8

30,000-foot
212:23

30th 4:5 299:6

34 278:14

35 278:14

36 61:25
62:13 234:8
278:14

390.130.7
46:15

393.130.7
14:2,7 18:20

LEXITAS

19:23 22:5 25:7 31:16 35:3 41:13 43:22 45:19 104:1

393.140 27:5, 8 31:17

3:22 259:17

3:35 259:16

3:38 259:17

4

4 14:1,22 31:15 35:2 37:22 41:12 42:23 46:20 51:1 52:13,16 135:20 136:14,15 139:22 209:20 225:17 267:2 269:2 270:21

4's 37:22

40 97:10 289:8

44 99:4

4:49 319:3

5

5 177:15 227:2,5 234:11 260:20 261:4 273:4 290:23

50 90:7 230:14 231:9, 20 233:1

256:4

500 255:23 259:10

500-megawatt 259:7

57 94:17

57,000 94:18

6

6 139:20 168:10 207:23,24 209:20 221:15 234:11 269:20,22

6,000 92:20

60 93:16 105:15,18 118:25

7

7 195:15 221:19 227:4

720 195:12,14

75 15:25 16:1, 9 78:4

75-megawatt 80:17

750 92:7 229:20 230:5, 11 231:3

8

8 139:22 184:9 188:23

207:22 209:20 226:12 227:4, 6

80 61:22 106:8

800 99:12

85 255:17

875-acre 94:15

9

9 227:19

90 106:2,10

90s 288:17

92 176:24 177:12 178:3

95 98:19

9:00 318:25

9:09 4:2

9th 183:3 189:7

A

A-L-E-X-A-N-D-R-A 131:13

A-N-D-R-E-A 26:6

A-N-D-R-E-W 50:14

a.m. 4:2 127:1

abilities 150:8 224:24

ability 15:19 21:24 39:9,17

123:10 146:9 150:11 157:11,13 162:5 167:7 174:19 224:19 225:10 286:19

able 9:14 17:18 67:10 68:22,23 111:22 118:20 132:14 150:25 152:21,22 155:19 158:8 160:16 178:6, 18 200:18 201:3 218:22 220:24 221:11 222:5, 18 225:5 235:2,4,8 236:2 260:1 278:9 280:23 290:10

about 30:9 45:7,13 47:21,22 49:12 56:22 81:3 85:4 87:5,16,20, 23,25 88:15, 20 89:4,7,10 90:2,18 94:10,18,21 95:19,24 96:3,13,20 97:1,4 98:19 99:1,7 103:10,17,18 104:4 105:24

109:19,20,23, 25 113:24 114:10,16 117:13 118:19 119:5, 7 122:9 138:9,10,23 140:15 146:24 147:1, 3 153:23 156:23,25 157:11 159:1, 9 161:8 165:25 166:12 167:5 168:25 173:21,24 174:1 176:24 177:19 182:22 186:16 190:6 194:2,19 199:8,10 200:1 201:11 202:20 204:14 205:4, 9 210:9 212:13,19 213:2 215:13, 16 225:17 227:16 229:15,18 231:14 233:10,19 240:2,14 243:24,25 244:5 246:18 253:22 259:18 260:16 261:18 262:13 263:11 266:1 271:4,10

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

280:13,16
283:19
290:21 291:2
297:16 311:2
313:21
316:25

above 14:11
15:25 21:7
30:20 35:5
80:17 169:3
265:2,3

absolutely
26:5 89:15
101:1 124:7
132:4 141:25
151:21
155:21
168:24
169:15 174:3
187:6 254:2
274:12 284:3
285:9,17

absorber
55:16

abstract
68:19

accelerate
56:8

accelerating
51:19 52:4

acceleration
68:3,5,19

accept 71:10
131:2

accepted
58:18

access 55:22
112:23
174:19

accessibility
105:5

accommodate
15:3 66:23

accommodated 23:3

accommodation 201:14

accompany
68:5

accomplish
240:19

accordance
164:17

Accordingly
15:23

account 29:1
36:8 152:15
238:8 242:24
253:14

accountability
79:6

accounting
300:8

accumulated
144:13

accumulation
147:17
308:18

accuracy
53:16 235:4

accurate
150:18
197:13
308:12,17
314:2 317:8

achieve 53:11
123:21

achieving
104:19

acknowledge
289:5

acknowledgment 182:5

acquired 13:9
154:2

across 20:10
24:2 32:4
47:6 51:12
52:15 55:2,21
56:10 64:3,4
66:16 70:22
74:7 96:10
98:6,11
187:23
200:14
207:24,25
264:18 266:7

act 55:16

action 185:4
194:25
195:20

active 53:7
66:21 148:24

actively 94:22
202:24
227:20

activity 40:9
51:20

actual 19:1
43:22 44:13
46:1 60:25
61:23 68:20
102:20
215:10
273:16
287:25 308:8,
10,16 309:6,8

actuality 37:4
191:6

actually 7:21
25:2 41:7
44:6 47:5
65:5 85:23
88:3 89:11
94:22 95:1
97:2 98:16
104:12
107:13
115:24
116:24
118:20,24
119:12
121:15
122:11,19
125:25
132:13
141:11 146:1
147:18 155:9
157:1 159:16
163:20
169:22
191:11
212:11
218:22
219:11
224:22,25
241:10
249:15
265:19

add 16:1
93:23 195:16
229:20 230:8,
10 231:2,3
233:15 236:3

added 122:13
155:3 232:8,9
235:6

adding 91:5
226:18

229:15 230:4

addition 12:5
57:2 61:17
77:4 85:20
96:25 229:25
285:14,18
309:10

additional
16:5 17:6
22:11 29:3
34:8 38:6
55:23 85:17
91:8 93:15
103:14
122:17
123:12,16
155:3 199:12
209:13
233:16
284:15 310:8,
12,14

additionality
200:2

Additionally
52:21 61:24

additions
292:21
304:10

address 9:2
19:21 41:4
47:14 57:21,
25 68:18
70:11,13
122:20
251:15 286:4,
12

addressed
24:18 29:1
36:8 56:15
64:9 81:12
91:17

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

addresses
70:25 77:25

addressing
51:4 98:18

adequacy
60:20 114:15
192:15

adequate
115:22 222:6

adequately
17:10 83:13

Adjourned
319:3

adjusted
243:8

adjustment
21:13 249:7,9
250:6,24
251:6 257:5
297:20,22
308:1,8,17
309:2 311:7

adjustments
21:13

administrative
132:20
142:22
194:24 195:3,
6

admission
129:20
180:21 183:6
184:13
197:17,24
198:7 208:14
271:2

admit 8:7
94:12 128:20
172:20
186:10,16

admitted 5:3
8:13 9:4
96:15 129:7,
11 143:10,11
172:24,25
180:23,24
183:7,8
195:7,9,10
197:25 198:1,
9,10 208:16,
17 317:19,20

admittedly
94:22

adopt 61:12
70:9 73:8,19
124:14

adopted
20:12 45:17
46:3,16 47:3
70:1 83:5
172:14
216:25 217:2
218:7,9,20
263:23
267:24
268:19

adopting 14:5
18:3 46:17
171:15 172:8

adoption
46:24 281:4

adopts
281:18,23

ADR 112:24
113:1

advance 53:8

advanced
24:6 53:20
56:6,9

advancement

148:17

advancement
s 52:3

advancing
51:15 70:15

advantage
25:2

advantages
45:5 54:9,11,
24,25 261:6

advisement
49:16

advocate
47:10 170:8
171:3

advocates
77:22

advocating
122:16
169:17

Aero 279:16

aerospace
138:10,18

affairs 17:23
18:3,14 128:3
172:7

affect 278:3

affected
53:10

affordability
34:25 35:25
117:22
275:15,21

affordable
52:22 271:14
272:2

afforded

34:10

afraid 106:17

after 18:25
29:17 59:22
62:10 68:16
97:25 108:10,
19 110:18
139:7 140:1
152:6,9 153:9
201:22
209:23
216:25 218:7
235:5 254:19
260:1 289:8,9
309:3

afternoon
131:17 144:2,
3 145:8,9
173:18,19
176:15,16
181:5,6
190:4,5
202:18,19
210:7 211:9
212:5 259:23,
24 292:2,3
293:23,24
301:10,11
303:16,17
313:3,4
316:3,4

again 36:4
37:15 38:15
44:21 45:7
62:19 63:17
76:14 88:14
93:21,25
95:24 97:22
98:17 100:6,
15 101:20
104:17
105:11,20

106:2,6 107:6
109:2 110:4,
5,14 111:8
114:4,7
115:12
117:14 118:9
119:8 120:4
121:15 124:5,
21 129:21
135:15 137:3
141:11 149:1
157:16 158:3
159:19 164:8
167:9 169:21
170:25
184:25
185:24 186:4
188:17 220:6
242:7 250:2
251:11 261:1
301:10
304:15
308:20
317:13
318:25

against 36:22
78:22 93:17
98:13 302:13

agencies
263:1,18

agency 14:4

agenda
195:18,19

aggregate
190:16,21,24
302:11,12

aggressive
61:9

ago 45:4
88:20 176:19
244:20

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

246:10
273:18
297:16

agree 14:4
39:3 70:18
124:6 132:2,6
137:21
149:23
155:13 157:6
161:15,24,25
164:10,11
168:3 186:7
188:10 209:5,
17 216:14
221:24
223:22,23
226:16 228:3
229:22,25
231:13 233:8
234:20 236:1,
9 237:17
238:23,24
239:13,23
240:11,18
241:1,2
245:19,21
246:6 247:19,
23 248:8,13
249:1 251:4,9
252:3 257:7
262:4 264:8,
10 265:24
268:13
270:11
271:16,25
272:22 274:2,
13,17,20,22
275:5 280:12
298:15,20
299:21,24

agreed 47:11
107:23 131:3
142:12,15

229:3 249:11
271:10

agreement
8:3 12:8,9
13:11 14:5
16:6 27:17
28:12 32:24
33:4,12 34:5
58:2,3,5,15,
17 61:13
68:23,25
69:8,10 73:20
77:19 95:17
122:14 128:5,
13 129:1
137:20 138:3
141:23 146:1,
5,20 149:24
150:1 152:1,
3,13 153:18
157:9,24
158:1 200:11
203:23
208:22,25
209:4,12
277:19,25
311:8

agreements
32:18,22
33:22 34:8,11
57:5 58:1
116:18 149:3

agrees 56:16
271:4

agriculture
30:12

ahead 89:12
170:20,25
188:18 196:7
235:12

AI 12:25 51:9
52:25 53:19

87:17 94:16
97:5,16
98:20,23
99:2,8,10,12,
16,17 100:1
288:8,12

AI's 97:19

AI-HEAVY
97:9

aim 66:18
67:7 154:5

aimed 117:17

air 235:15

**air-
conditioning**
236:8,11,13

Aldman 99:25

alert 184:2,24
185:7,9,10,17
186:23
188:10 189:6,
9,12

alerts 182:2,5
183:16
184:20
185:14
186:13,14
188:15
192:19

Alexandra
5:14 26:12
131:12
198:22

align 20:15

aligned 16:3,
17 27:1
107:14

alignment
17:25 58:17

aligns 78:17

Alissa 7:2
63:20

all 5:6 6:2
9:11 14:3
15:11,22
21:21 22:7
27:15,17,18,
19 29:14,15
32:5 39:10
41:7 46:17
47:23 48:7,
10,22 49:24
51:18 53:10
55:4 56:21
60:9 68:24
72:22 73:3
82:2 83:24
85:21 86:20
88:13,18
89:5,6,16,18
90:17,20 91:9
92:17 93:3,19
95:12 96:23,
25 97:14
98:5,14
100:5,19
101:1,3,21
103:17 107:3,
19 108:3,15,
22,23,25
110:12,16
111:10 113:3,
24 117:21
119:16,17
120:6,12,14,
15 122:25
123:5 124:22
126:11,22
130:6,11
133:16,18
134:24 135:5,
7,17,24

136:11 140:4
141:5 143:13
145:3 146:10,
11,12 149:7,
16,18 152:19
158:17
159:11
160:22 162:6,
17,22 163:4,
5,18 164:19
165:1,10
168:10 170:6
174:4 179:2
180:15
182:18
183:18 184:8
186:19,22
188:23
189:15
190:22 191:6,
18 199:14
205:4 206:5,
11,25 208:9,
19,23 209:3,
19,25 210:13,
18 215:6
216:15,18
217:9 219:3
220:24
222:17
224:20 225:6,
18 227:23
229:20,22
235:15,16
236:11
240:22
244:14,15,21
245:9 247:1
248:7,15
249:23 250:8
255:13,15
259:13 267:5,
17 268:11
269:12 272:5,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

9 274:7,8 275:2 277:12, 24 279:13 281:1 282:21 284:8,12,15, 24 286:10 288:25 289:15 290:6, 12 293:7 294:10 296:14,24 297:17,19 298:1,2,3 299:17 301:18 302:5, 12 307:12,24 308:19 309:14 310:20,21,23 311:1,11,12 312:5 318:3 319:1

all-system 297:3

allocate 239:25 240:7

allocated 32:1 240:13,21

allocates 20:16

allocating 60:9

allocation 59:4,5 68:12, 15 239:24 243:3,9

allow 6:11 32:3 49:21 61:10 67:8 85:23 111:24 112:25

116:13 119:17 126:1 137:11,14 158:10 218:2 232:4 275:1 280:11 298:11

allowed 27:20 85:24 112:25 136:16 150:15

allowing 95:14 112:11 120:1 162:12

allows 30:15 35:12 69:14 120:18 154:11 164:22

almost 84:25 106:3 146:1, 15 160:19

alone 99:10

along 12:1 38:25 40:23 50:15 73:10 116:6,7

aloud 135:23

Alphabet 99:19

already 8:13 13:13 24:12 43:15 64:9,15 80:13 93:16 95:4,9 103:24 107:22 109:24 110:1 112:5,7,24 114:2 115:1, 3,24 117:15

118:10 129:18,21 153:3 156:18 158:11 162:2, 11 163:1 178:21 191:14 205:24 213:8 233:22,25 287:5

also 5:13 8:12 11:11,24 16:24 17:5,15 18:8 21:21 22:16 24:8 26:12 27:23 28:18 30:11 31:11 33:8 39:16 40:8 41:21 54:8,23 55:18 57:20, 25 58:11 60:12 61:1 63:20,21 67:19 68:2 69:15 71:20 72:11 78:14 82:22 83:7,24 84:8 86:1 87:13 91:7,22 92:24 96:7 97:22 100:18 102:23 107:18 109:6 117:20 119:3 123:13,20 135:19 142:8 144:17 148:19 149:16 152:14 159:22 165:25 166:11

168:25 173:23 183:19 186:13 188:2 192:12 201:12 212:22 216:1 217:20 233:4, 15 237:24,25 255:2 257:16 260:10 262:11 274:17 277:25 279:21 280:5 281:7,22 286:24 296:24 310:8, 13,17 311:14

alter 24:22

alternate 199:15

alternative 7:25 8:3 25:16 34:12 79:12 112:1

alternatively 120:21

although 12:15 18:20 43:19 45:18 74:12 231:13

always 37:9, 10 40:17 163:16 241:7 256:14 259:7

Amanda 38:11

amazing 251:2

Amazon 99:19 213:16

amenable 22:2

amend 28:1

Ameren 5:20, 23 12:11 28:9 29:16 34:3,6 38:23 39:2,4, 15,24 41:3 42:2 49:3,6, 16 50:4 56:15 74:10 87:23 88:5 120:15 122:23 130:25 149:25 164:23 165:11 175:23 192:24 201:22 211:25 213:21 219:21 224:6 249:20 250:5, 22 276:20 277:16 283:9 289:22,24 293:19 305:9 310:3 314:20 318:12

Ameren's 281:8

American 181:18,21,24 182:24 184:18

among 15:22 52:24 53:25 77:20 83:2 84:13 158:14

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS™

159:12 168:6 182:14 215:22 217:5 299:20 302:7, 8

amongst 46:14

amortization 254:21

amount 40:22 46:25 62:12 87:6 90:13 95:21 97:18 100:16 102:14 108:20 111:19 116:2 118:21 132:11 159:5, 6,8,10 219:22 242:3 250:7 277:1 300:17, 19,20

amounts 31:8,12 227:21

analogy 91:24

analysis 23:20 44:24 114:7 157:19 161:9 207:15 241:25 244:2 302:3

analyst 237:3

analytically 67:15

analyzed 187:10

Andrea 5:13 26:1,8 206:25

230:21

Andrew 6:21 50:13

announced 56:7

announcement 10:25

annual 14:11 30:24 35:6,14 79:4 88:23 94:17 97:12 99:17 152:8, 23 157:23,25 158:2,13 175:9

annually 81:10 238:21

another 74:6 88:7 96:20 97:3 98:25 102:24 136:23 137:8 147:6 157:8 210:15 216:21 218:17 282:9

answer 38:5, 13,15 50:1 70:6,7 73:21 86:10 101:9 103:16 123:15 124:21 125:1 132:13,15 138:6 140:18 154:9 164:18 170:22,25 213:12,15 215:6 216:22, 24 218:2 253:6 254:6

261:8 268:13 273:10

answered 144:17 224:2 229:12 245:3

answers 128:15 172:18 180:10 197:13 208:4, 6 262:5 307:3,6 313:22 317:2

anti 101:8

anticipated 59:13 114:3

anticipates 68:13 112:2

anticipating 89:9 119:1

anticipation 110:15

any 5:3 7:10, 18 9:1 14:17 20:1,3 21:3 23:19 26:21 34:12 35:11 37:7 38:1,13, 18 40:19,23 41:25 42:10 44:13 50:1,9 58:23 59:19 62:16 63:5 67:25 73:21, 23 76:10 83:5 84:17 86:9,11 98:21 104:9 118:13 121:10 125:3 126:13 128:10

130:13 133:9 136:7 137:11, 14,16 138:15, 18 140:24 141:10 143:7 145:5 155:6 164:20 165:2, 7,8 169:18 171:9 172:14, 23 173:4,15 175:20,21 179:3 180:16, 21 183:5 184:20 189:18 192:22 194:24 195:6, 23 197:7,24 198:7,21 199:11 200:8, 19,22 201:3, 4,19,21 203:5 207:20 208:14 213:10,11,15, 16,22 214:18, 19 215:10 216:3,4,5,6 220:16 221:1 222:19 223:15 224:12 229:23 243:9 262:25 263:4, 7,11,22 270:1,13 276:22 282:22,24 288:2 292:21 301:2,5 304:10 305:15 306:24 313:17 315:2,

9 316:21 317:16 318:18,22

anybody 7:13 94:12 119:7 121:1 130:20 279:19,24 288:13

anymore 289:11

anyone 4:23 82:6 206:7 215:23 302:20 305:18 312:9 315:4

anything 20:9 67:15 70:21 117:4 122:9 144:4 154:14 165:11 223:10 245:13 253:4 288:18

anywhere 235:21 266:19

apart 47:15 166:20

apologize 6:7 198:19 248:6 265:21

apparently 249:24

appear 184:14 216:19

appearance 5:6 6:12,18 9:21

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

appearing
63:9

appears
45:11 46:3
85:9 183:11
226:9 228:14
278:21 279:9,
25

appendix
177:14
178:16 273:3
290:22,23

Apple 99:19

apples 135:15

appliances
115:9

applicability
57:11

applicable
14:10 35:4,13
57:16 106:25
133:16 135:5
136:8,11
191:1

applicants
10:1

application
4:8 11:22
14:24 15:13
17:21 25:23
27:2,4 29:4,5,
6 31:18 64:6,
12,16 70:7
111:14
163:14

applications
27:7

applied 49:12
75:10 113:17
239:16 247:1

applies 15:23
29:21 31:1
60:18

apply 21:9
42:1 60:22
107:23 112:3,
4 169:4

applying
97:16

appreciate
11:18 44:25
49:25 50:21,
22 63:22
129:18,21
132:16 196:8
254:3

appreciates
70:13

approach
16:22 18:6
21:16 22:3,20
31:7,19,21,25
32:10,16,18
44:3,9 49:19
51:11 59:1
132:25
134:18
183:20 226:4
263:23 264:9,
10,21

approaches
43:11 49:21
145:23,25
274:2

approaching
85:4

appropriate
52:20 63:2
71:16 133:10
151:23
153:13

156:12,21
157:17
239:25
243:10,21
246:11
247:10,17
286:20

appropriately
53:22 78:4
274:3

approval 4:10
11:24 12:7
18:22 21:23
25:22 33:18
195:19
205:17
277:19
280:19

approve
23:13,15
29:5,6 64:7
71:11 79:18
84:12 136:21
267:25 274:3
280:2 286:14

approved
61:19 80:10
150:10 167:2
206:1 245:16
267:21
268:19
271:17 276:6
278:2

approves
24:19 136:19

aptly 42:17

arbitrarily
23:4

arbitrary 71:9

architecture

16:4

area 213:8
227:1 282:8,9

argues
147:24

argument
225:11 252:7

argumentative
258:5,9

arguments
23:17 90:17
91:2 116:14
121:6

arising 14:18
35:11 38:2
104:10

Arkansas
74:7,8

around 97:5
100:9 110:2
132:20
173:21
175:11 177:5
204:22,25
297:13

article 96:12,
20 97:3,23
98:25 99:7

artificial 51:9
96:22

as 4:25 5:15
7:15 8:16 9:4,
8,20,25 10:3,
11 11:21,25
12:5,8,23
14:24 15:6
18:8,11,15
19:9,22
20:11,12,23,
25 21:15,19

22:4,17,20
23:11,17,25
24:11,24
25:5,23 27:1,
25 28:13,14
29:21 30:2,3,
19,22 31:6,15
32:17 34:6
36:21 37:2
39:16 40:20
42:2,9 43:18,
20 44:5,16
45:19 46:21,
24 48:2,17
49:3,19
50:13,20 52:7
53:1,2,17
55:16 60:1,19
64:10,14
65:8,19 66:4,
14,24 67:1,13
68:13 69:21
70:9,19 71:20
72:3,18 73:4,
7 76:20 77:17
79:5,6 80:6,7,
15 84:7 85:13
91:8 93:10,
16,25 94:1,5
95:8 96:3,4
97:19 98:1
100:14,18
102:17,24
103:6,8
104:15
105:19 116:6
117:23
118:11
119:10 126:5
127:18 128:7
131:2 133:7
134:6,14
135:3 136:7,
17 137:24

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

139:24
140:19 141:8
144:14,23,25
146:3,22
148:6,20
150:2,8,25
151:1 157:17
158:16 160:6,
7,8 161:22
163:14
168:10
171:23
172:11
179:22
181:18
182:12
183:14,21
186:12,16
187:1,9,12
188:2,19,21
190:15,21,24
191:17
194:20 195:3,
5 196:21
197:3,5 198:4
200:3,8
204:23 207:5,
17 208:24
209:22 210:7
212:20
213:25 214:4
217:16 219:7
220:21 221:6,
17,22 223:17,
24 224:22
227:9,19
228:12 232:4
234:4,7,14,15
235:21,24
236:19
240:22 244:5
245:24 246:7
249:2,20
251:25 252:3

253:21 254:7,
9 260:9
261:5,8
263:16 264:9,
17 265:14
266:10,24
267:2 275:16
279:21,23
280:6,8,20
285:21
286:16 287:2
291:24
292:11,14
295:1,21,24
300:12
301:21
303:13,24
304:3 305:23
306:11,18,21
311:13
312:25
313:14
315:24
316:10,14,18

aside 71:6

ask 33:14
38:19 88:17
89:13 101:6
102:1,23
103:7,22
107:25
112:17
113:23
118:14
119:18 121:9,
15 132:20
134:2 135:16,
19,23 136:16
139:19
154:21
172:17 180:9
182:21
183:23

186:16 187:4
190:6 194:23
197:11 219:4,
17 228:14
229:17
230:19 242:8
245:11
246:11
247:10
253:22
269:16,19
271:4,9
278:17
282:13
283:13,19
297:12

asked 144:17
167:24
173:21 199:8
202:20 208:2
218:17 224:1
229:4,11
245:2,8 261:5
272:19
283:21,22
285:2 305:16
307:2 311:19
313:21
316:25

asking 101:14
102:19
103:20 105:4,
10,21 106:10,
11,24,25
111:14 114:4
116:10
118:23
119:23,24,25
123:12,22
205:17
218:14
226:22 257:9
284:7 285:23

290:21 291:2
310:24

asks 144:18

aspect 20:25
34:1 188:22
194:12 288:5

aspects 15:10
104:21
157:15
237:24
241:14
243:19 274:7
286:21,22

Assembly
42:11 46:16,
19 51:1 73:7
225:22,25
251:15 267:1

Assembly's
225:24

asserts 23:22

assessed
133:8

assessment
215:21

asset 83:13

asset-light
97:6

assets 288:23

assigned
53:23

associate
313:11

associated
12:1 18:15
20:22 21:4
23:6 53:15
54:24 57:22

62:17 90:19
154:1 199:24
243:3 274:25
279:14
297:18 298:8
300:19

associates
94:21

Association
64:1

assume 36:11
108:9,14
154:6 164:5
175:10
212:19 220:4,
7,13 221:12
228:20,21
229:19 230:9
232:3 281:18,
22 283:22

assumed 59:2
151:17 230:8
231:2 295:5

assuming
90:20 97:10
100:8 126:9
157:20
174:18
236:15
281:15 311:2

assumption
65:11 231:18
245:15
281:20,25

assumptions
232:2 282:2,
14

assurance
42:23 43:25
44:1

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

at 4:2,6 6:2
7:25 10:21
14:1 15:25
22:11 25:19
34:14 39:12
40:13 45:24
47:1 49:10
50:1 53:18
56:12 71:2,
16,19 74:17
77:4,9 80:1
83:25 90:5
94:13,22
97:17,20
100:3 102:20
105:19,23
109:8 111:10
116:11
117:17,24
119:16 121:2
123:5,7
124:4,25
125:22 127:1
128:19 130:8
131:8 133:4
134:3,8,16
135:16 136:2,
14 139:22
140:6 142:12
143:3 147:5,
19 152:2,21,
22 153:22
164:5 168:13,
21 169:23
170:4 171:7
173:9 174:4,5
177:14 180:4
182:19
183:23 184:9
186:22,23
188:1,14,23
194:7,14
196:10
197:16,20

204:20
207:20,23
208:10
209:14 210:3
212:23 214:6
217:9 224:2
229:16
230:12
232:11,15
233:4,10,19
234:11
239:19
241:22 245:9
246:12
247:16
249:16
251:12
253:19 255:7,
17 256:1
259:1,10,16,
17 260:6,7,
21,23 261:4
262:14
266:21,24
269:11
272:24 273:3
278:7,9,19
280:1,22
282:8 285:22
286:10 288:2,
21 291:3
292:21 293:5
294:18 296:8
298:6 300:5,
23 301:16,18,
19 304:11,18
306:24
307:10 308:7
314:5 318:25
319:3

ation 198:21

attached
178:12

272:25 273:3
278:6 290:22

attaching 8:1

attempt 47:17

attempted
213:21

attempting
112:13
169:21

attention
49:25 221:18

attorney 50:4

attorneys 9:8
26:9 63:18
206:15

attract 44:18
61:8 67:10
85:16 86:1
271:13,19,23
272:1 290:7,8

attracting
45:5,8 85:10
219:11 272:4

attractive
287:6

attributes
154:1,17
199:17,18
200:6 203:19

Audio 95:10
254:1

audit 306:19

auditing
237:20,21
238:3,7
244:2,19,25
245:7 247:4
295:24 296:4

300:10

auditors
295:21

aughts
288:23

August 35:2
188:5

authenticate
186:10

authenticated
175:18

authenticating
187:5

authentication
178:7

author 262:16

authority 41:2
145:1 151:22
286:19

authorized
21:11 26:20
131:24 132:8
150:16
151:18 169:6
241:24

automatic
155:1

automatically
91:19

automotive
138:15

available
19:18 55:22
107:3 117:16
134:8,16
155:17
162:23,25
163:5,12

203:17,19

average 55:3
77:3 94:20
245:22
294:10,17

averages
294:9

avoid 120:1

avoided
284:13

avoiding
227:17,24

aware 12:23
28:8 66:14
111:16 113:3
117:15
132:17 166:5
169:9 181:24
182:16
184:17 189:6
213:10 216:4,
5 221:5
258:15,22
262:24 283:9
285:21
292:25

away 43:13
47:25 106:18
205:9 288:7

B

B-A-I-L-E-Y
179:9

B-E-L-L 76:17

B-R-A-D
196:25 316:7

B-R-O-O-K-E
306:16

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

B-R-O-W-N
180:2

B-U-S-C-H
207:11

bachelors
247:25

back 49:1
75:15 89:21
92:15 95:20
106:13
108:11
110:23
112:14,18,22
118:7 124:9
126:25 131:6,
8 159:19
163:22
204:19
212:12 214:4
215:19 227:4
237:10 249:8
257:14,20
259:16,25
260:3 273:15
288:16,25
290:19
311:20

backbone
266:15

background
51:5 63:24
194:7

backup
299:21

bad 116:7
239:8 251:25
268:3

bag 106:23

Bailey 5:8,9
8:19,20,24

9:24 172:1,20
173:1 179:7,
9,18,24
180:13,17
183:9 186:5
187:3,7
193:23 194:1,
17 195:11
305:12
314:23
318:15

Bain 97:12

baked 254:12
255:9

balance 57:8
63:2 69:11
79:15 90:4,7
118:6

balanced 41:5
53:23 64:11
77:22

balances
15:21 52:19
274:3 277:6

ball 216:8
262:12

ban 98:8,9

bankers
102:13

bankrupt
106:14,21
289:24,25

bar 89:3,8,10,
11 94:4 96:1,
2

barrier 37:2

barriers 30:7
270:13 286:9

Barry 62:23

Barry's 56:18

base 13:21
37:1,2 40:4
65:1,3 72:11
86:7 108:10,
13 109:7,9
132:11
133:25 150:3
222:25 247:1
249:16
267:16 284:1,
4 296:3
308:3,4,15
310:9,11

based 42:20
59:5 60:12,17
61:2 62:13
78:12 130:16
133:8 149:21
154:6 182:1
188:11
210:20
213:14
231:18
237:22
238:15,19
248:10 266:3
282:14
295:15
300:14
301:12,24
311:5

baseload
137:4,5,10

basic 28:23
48:13,15
210:19
213:19
215:23
216:14 252:8

basically
106:12
111:18
113:13,18
114:14 120:8
222:23 246:3
265:3

basics 43:19

basis 44:13
59:8 66:3
152:9,23
157:8 167:15
175:22
190:21,24
191:25
233:20 246:7,
13 251:19

basket 272:6
290:6

battery 55:11

BBC 97:23

because 6:6
13:25 28:4
29:11 33:3
41:25 42:7
47:4 49:7
52:16 60:8
61:13 67:14,
24 69:11,21
70:2 77:10
84:25 91:15,
21 92:11,25
94:6 102:1,10
103:24
104:23 108:8,
22 109:8
110:8,13
111:4,10,23
112:9 113:10,
14 114:17,23
115:14 117:8
119:4 120:16,

25 122:8
123:21
133:24 137:9
144:7 145:24
146:9 147:9,
16,20 149:2
153:24
155:14 160:9
174:10 177:5
190:7,19
201:6 210:17
216:17 221:2
222:17
225:22
226:19 230:1
243:12
248:18
250:14 251:7
252:18 253:8
278:15
289:10
309:10 310:8,
9

become 40:4
166:25
296:18

becomes
275:22

before 26:17
42:18 43:3
45:2 47:12
51:4,5 59:16
83:1 84:4
87:3 88:2,5
91:1 95:2
99:4 110:10
125:5 141:12
184:3 187:5
208:19 213:8,
23 214:12
215:4,24
228:22,23
232:10

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

235:25
237:18
244:10
251:24 253:4
278:1 283:10

beg 87:18

begin 9:12
98:14 130:13
196:16
206:23
273:11

beginning
136:15
147:19
204:19 260:6

begs 28:24

behalf 5:23
6:8,13,23 7:3,
8 11:15 18:5
56:19 71:25
84:24 86:21
87:23 122:23
126:16,18
128:6 129:25
131:12 172:9
173:8 198:22
217:15

behind 24:5
36:9 64:16
168:9

**behind-the-
meter** 115:15

belief 128:17
144:20
197:14 208:7
292:19 304:8
307:7 314:2
317:9

believe 12:17
51:10 54:1

72:13 73:17
74:11 75:11
76:3 85:14,25
86:3,4 87:23
95:16 105:23
106:8 112:15,
16 116:5
118:9 120:12
121:19
122:22
131:25 133:3
138:14
139:13
144:25
146:17 147:8,
15,22 148:21
154:11 155:9,
14 161:11
163:19,24
169:21
178:14
183:18 201:5,
13 203:2
206:3 207:25
209:12
210:17
213:13,25
214:16
220:23 222:4,
8 235:20
239:15
242:16
250:21 253:8,
17 254:17
259:5 264:7
267:23
268:16,17,18
269:10 270:7,
12 271:20
273:1,6,25
274:6,15
275:12,25
276:2,5 280:5
282:1,10

283:15
284:14,17
285:24 287:5
293:25 297:8
309:4 310:23
311:5,19

believed
268:1,20

believes 14:3
33:3 66:8
82:25 83:12

believing
205:12

Bell 6:11,13,
17 75:20
76:15,16,18
79:25 80:4,6,
21,23 81:1,23
82:2

belongings
232:10

below 61:23
133:15,20
135:9 136:10

bench 130:9
165:3 282:25

benchmarking
19:2

beneficial
72:25

benefit 10:21
15:19 40:14
63:25 91:22
117:7,8
123:23
134:25
155:21 191:2
227:24

benefiting
83:24

benefits
13:18 20:20
22:8 23:6
25:20 32:11
36:25 53:22
55:7 57:8
65:5,8,13
73:11 86:4
117:14 118:6
119:5 147:11
217:18,20
274:4 287:24,
25

best 38:13
49:23 50:2
60:4 73:5
79:21 94:13
103:16
106:19
114:15
128:16
197:14
204:25 208:6
240:5 292:19
304:8 307:6

bet 204:3

better 32:5,8,
14 85:19
88:11 101:17
113:25
119:19
154:10 188:3
255:2

between 19:7
31:8 36:13,15
43:7 58:14
68:6 84:6,7,
13 92:20
138:2,5
140:10
144:14
145:16

146:18
152:25 153:7
200:9 236:17
255:8 257:19
280:7,11
300:8 308:15

beyond 22:13
62:11,12
190:9 248:19

biased 44:14
48:19

bid 285:21
300:5,8

big 105:12
114:23

bigger 231:14
233:5

biggest 95:13
98:15

bilateral
113:8

bill 14:1,22
16:10 31:15
33:6 34:16
35:2 37:22
41:12 42:23
46:20 51:1
52:13,16
59:21 62:2
225:17 267:2
269:2 270:21

billed 30:15

billing 30:24
241:17 242:4,
5,18

billion 76:24
94:15 99:1,4,
12 117:2
255:23

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

billions 40:1 64:22 234:2

bills 28:16 31:20 32:4,19 34:25 37:21 57:17 59:17 62:14 82:24 230:1,10 231:4

binary 43:7, 11 122:24 123:1 146:17

bit 43:16 85:22 87:20 90:24 91:15 113:22 114:18 119:8 124:13 125:6 134:11 137:19 194:15 226:24 241:21 242:9 244:1 248:11 251:13 254:7 287:11 296:10 305:23

bits 286:17

blanket 23:18

board 58:9 253:3 278:22

boils 71:3

Bolen 244:8, 12,14,17 246:19

Bolen's 237:7 244:5

boom 42:15 100:21

bootstrap 47:18

borders 47:1

borne 53:15 115:12

both 21:20 26:24 27:1 29:17 40:5,12 42:13 43:20 44:4 46:6 49:4,6,8,18, 21 69:7 84:9 85:16 88:5 91:15,16 109:15,16 119:14 126:1 140:19 148:5 154:23 190:17 204:21 233:19 236:19 250:5 258:8,11 273:6 280:17 286:17 313:14 316:14

bottom 100:3 116:7 123:24

BPS 188:4

Brad 38:10 77:8 132:14 147:6 196:25 197:1 272:25 315:12 316:7, 12,17 317:13, 17

Bradley 18:13 196:2,18 197:22 198:4, 8 315:21

brakes 88:13

brand-new 92:16

break 125:5 127:1 174:24 196:4,7,10 259:16,17

Brian 9:14 10:17 86:16 98:24

Brian's 10:13

brief 5:5 28:19 84:25 301:7 307:15

briefly 161:4 202:15

brilliance 109:14

bring 40:8 65:1 66:19 86:6 90:12 93:2 115:13 209:2 217:18, 20 228:8 268:9 286:8

bringing 51:20 96:3 100:5 256:19

brings 65:14 101:6

broad 30:1 58:13 140:6 168:13 210:3 260:10

broader 275:11

broadly 51:10 53:14 185:4, 15

Brodrick 38:11

broken 67:23 68:2 81:15,18 104:19

Brooke 38:10 305:22 306:8

brought 88:9 95:12 117:23 118:1 129:4 146:21,22 149:19 154:22 159:2 191:12 204:24 205:11,20,23 265:14 288:10

Brown 18:7 22:20 179:6, 8,11,19,25 180:2,5,19 181:5 182:18 184:2,17 186:22 189:15,21 190:4 194:2 195:12,24

Brown's 180:21

BTS 187:12

bubble 99:24 100:2 288:9, 17,19,21 289:1

bucket 243:13

budgets 97:15

build 57:7 92:16,25

93:6,13,15,20 94:8 95:22 100:13 105:14,16 106:1 110:7 124:13 223:4, 18 224:7,10, 13 225:3 238:8

build-out 120:14,20

building 37:4 40:11 51:16 53:3 96:19 98:13,20 100:9 106:3 121:19 200:1 202:24 213:8 223:11 260:13,17

builds 121:14

built 80:13 94:16 96:1 110:14 115:25 120:2 200:3 203:6, 12,16 204:23 223:8,9 224:17 254:20 284:19 289:4, 7

bulk 187:11, 23

bullet 145:12, 19

bunch 92:12

burden 21:19 56:20 251:16

burdened

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

268:12

burdensome
44:12 251:22

burn 300:17,
18,19,21

burned
301:21

burst 288:19,
24

Busch 38:9
176:22
206:12,17
207:2,8,10
208:12,15,19
210:23,24
212:5 218:5
221:13
222:21
258:15
259:14,23
270:20 283:9
288:5 290:17

Busch's
44:25 45:4
147:24
177:15
178:13,16
290:23
295:17

business 47:1
51:20 52:7,8,
11 69:14 97:3
102:16
106:14
222:19
253:13,16

businesses
39:21 222:17
235:16

but 6:14 8:4,

14 15:3,11
16:6 20:23
24:11 30:11,
23 35:20
36:10 43:17
45:21,23
46:6,22 48:5,
11,23 53:2
61:6 62:7,10
65:11 68:4,9,
24 69:9,15
74:22 80:6
82:21 85:16
86:9,20 87:9
88:14 90:1
92:10,20,21
93:3 94:11,22
100:12 101:5,
13 104:14,22
107:7 112:12
119:6 120:22
121:25 123:5,
11 124:2,4,
12,25 126:16
127:10
128:12
129:18
132:21
133:23 134:9,
19 135:15
137:8 141:18
144:5 146:8
147:8,20
148:19,24
149:1,15,25
150:4,21
151:21
152:16
153:15
154:10,19
155:18
156:24 157:3,
10,16 158:9,
13 159:1

160:18 166:9,
24 167:3
168:21
171:17 173:7
175:12 177:3
179:12,13
184:22
194:18
196:12 201:2,
12,15 206:15,
19 209:9
210:12 214:7,
13 215:6
219:20 220:8
221:4 222:8
223:9,14
224:18
225:11 228:3,
14 229:4
232:18 233:4
234:23 235:8
237:10,14
238:4 239:16
241:14,22
243:11,15
244:2,17,19
245:13
246:22 250:5,
13 251:21
253:6,11,18
254:9,22
255:1,4,5,15
257:10,19
260:12 261:5,
20 262:1
264:5,20
268:10
273:10,19
275:12,14
276:14 280:5
281:16
282:11
283:23
287:25 289:6,

22 291:1,16
294:9,18,24
295:8 296:7,
23 298:13
299:17
302:14 303:2
304:18 306:3
311:1,6
312:16
315:15

buy 99:11
108:16 113:8
298:3

buying
108:20,24

by 7:16 11:11
12:25 13:25
14:23 15:13
17:1 18:15
20:4 23:5,25
24:11,19
25:7,9,24
27:20,22
29:22 30:19
31:24 34:10
35:1,18,19,22
36:1 40:10,
11,12,25 41:4
43:4,5,18
44:17 46:10,
16 48:2 50:25
51:14 52:4
55:15,23
56:20 57:9
58:7,12 60:14
63:3 70:14
71:14 72:21
73:9 74:10,15
76:19 78:15
80:9 81:15,18
83:22 86:23
88:9 89:24
90:13 91:3

92:9 94:16
96:18 99:17,
23 100:3
102:25
103:25 106:7
108:25 109:6
111:17 115:4,
12 118:1
120:14
122:13
125:11
126:16
127:20,24
131:16 133:1,
10 135:10
136:5 137:17
141:2 144:1,
13,22 145:5,
7,13,18
148:10
150:13,15,16
151:1 154:22
156:18
158:24 161:6
164:6 165:23
167:19 168:4
170:7 171:2
172:1,4
173:17 174:7
175:5,18
176:14
177:24 178:2
179:24 181:4
184:1,16
186:21 187:8
190:3 191:2,
12 192:5
194:1 195:11
196:23 199:3,
7,12 202:17
204:12,18
206:1 207:7,
12,13 208:18
209:1,18

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

211:8 212:2,
4,17,20
214:17,19,22
215:10 218:4
219:16
222:17 224:5
226:8 229:14
231:1,21
233:22,25
234:17
237:19
238:25 239:5,
11 240:8
245:4 247:22
248:21
251:14 254:5
258:14
259:22
260:24 261:3
262:7 264:25
265:1 267:20,
21 269:6
270:19 271:8
273:2 274:4
276:6,23
277:3 283:8
285:8 292:1,
8,10 293:22
295:11
298:18,23
299:9,10
301:9 303:15,
22 306:13,17
307:17
308:11 310:6,
22 311:22
313:2,9
315:19 316:2,
8,9 318:17

C

**C-H-A-N-D-L-
E-R** 175:3

C-L-I-Z-E-R
86:22

C-O-L-E 179:9

calculated
308:9,16

calculation
32:20 35:20
71:4,7 310:15

calculations
32:19

call 51:21
138:25 148:9
164:23 166:7
262:2 291:5
305:21
312:12
315:10

called 24:16
60:23 113:11
200:2 261:22
272:14

calling 118:21
174:12 291:8

calls 127:4
179:7 219:13
268:23
291:12
315:12

came 73:3
145:20

camp 124:16

cancer 101:2

cannot 20:14
21:1 34:24
35:25 61:25
62:5 150:14
161:12
218:11
244:19

273:18
283:12,21

capabilities
18:10 150:9

capability
55:20 56:11

capacity
16:11,16
55:23 56:11
57:13,14,22,
23 59:19,22
60:20 61:22
62:6,8 89:2
106:2 107:1
113:7 134:4,
7,15,20,21,23
135:1,3 203:7
207:12
227:17
229:15 232:8
233:18 292:9
303:23
306:17 313:9
316:8

capacity-base
135:4

capital 88:23
97:7,17
237:10
255:13

captioned
134:3 135:17

captive
227:23 234:5
268:6

capture 31:7
39:17,19 40:1
41:8,10,23
42:6 44:22
48:12 107:3

captures 78:5

carbon-free
55:22 61:5

care 157:5

careful
102:20

carefully
36:18 78:23
79:20 103:13

Caro 6:22
50:15

Carolyn 62:23

carry 27:24

carrying
221:18

carving 147:9

case 4:7 8:23
10:4,5 11:22
19:3,6,16
23:16 26:10,
13,17,20 28:6
29:2,12,15
30:9 31:25
32:24 33:1
35:3 36:12
38:16 39:2,4,
5,15,16,20
41:19 42:20
43:9 47:13,
18,21 48:4,5,
23 49:2,3,6,
15,17 51:3
58:2 60:2,6
61:13 63:3,
19,21 65:23
68:17,24 69:2
70:10,12
71:15 85:4,5
87:10,25
88:2,5,6

92:19 93:14
95:12 99:25
102:3,12
103:2,5
104:18 106:8,
22 107:8
108:10,13
109:8 110:12,
16,19 112:3,4
120:5,7
122:15 123:5
128:6 131:19
133:22
135:13 137:2,
25 138:2,16
140:12
144:10,15
146:25 147:2
150:2 151:3,
7,8,9,11,22
166:6 167:3,8
168:7,19
172:9 197:2
203:8,11,24
205:18
207:17 213:9,
20,21,22,24
214:12 215:8
225:9 231:22
233:2 237:10,
19 239:4
240:1,12,13
243:16,25
244:10
245:17,18,20
249:24 250:5,
7,18 253:18
254:13,19
255:8 256:15,
17,19 257:2,
14,15,21
259:6,8
261:15
262:19,21

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

263:17,24
271:18
272:19
273:20
276:17,20
280:25 281:5,
20,24 282:15
285:15,19
294:19
295:12
296:12
301:17
306:21 308:2
309:3,9 311:6
313:14,19
316:14,18,23

cases 29:18
31:9,10 36:8
43:5 47:23
49:4,7,9,18
66:21 87:1,2
88:12 102:7
109:16 120:6
144:14
205:21
225:13
249:20,23
257:19
258:16 277:3,
4 285:18
294:1,4

cast 237:10

catching
284:6

categorically
19:21

category
200:6

caught
273:10

causation

31:24 59:5
115:13
119:24

cause 10:8
22:24 83:15
146:15 157:1
185:2 232:22
233:12

caused 46:10
180:5 197:1
240:8

causes 256:7
275:19

causing 83:11
114:25
115:12

caution
101:24

cautioned
127:17
171:22
179:21
196:20 207:4
291:23
303:12
306:10
312:24
315:23

cautious
290:4

CCN 93:15
203:4 205:20
224:10,12,13
225:9,13

CCNS 225:20

cede 12:21

cell 7:10

cent 46:9

center 5:1
6:24 7:4
12:11 13:1
24:6 28:10
37:3 42:16
51:8,11,13
52:25 63:7,19
64:1,3,18
65:9 72:7
76:21,22,23
77:2,8,21
80:3,16 91:7
94:8 95:14
96:19 97:25
100:21 101:8
106:20 116:8
120:14,20
165:11 176:4
193:7 202:3
211:17
213:11,16
234:12,14,22,
23 235:6,19,
20 236:14,15,
18 259:9
268:1 270:6
277:14 279:5
281:3 288:2
293:12
304:25
309:21
314:12 318:5

center's
54:25

centers 29:21
30:6,11 32:15
37:5 43:2
45:7 51:6
54:7,12,24
55:21 56:3,5
72:8 82:21
87:17 90:14,
19,21 91:2,5,

19 93:2,5
94:3,24 95:5,
15 96:15
97:17 98:2,8,
13 99:13
100:8,14,18
101:7,11
102:6 115:3,4
117:2,25
118:5,20
120:11,22
121:3,15
156:23 157:1
213:8 236:4
261:6 263:12,
13 264:20
265:25
268:10,14,22
281:13 282:7
284:22
285:10 286:8
288:9,12
290:7

central 53:13

cents 124:3

century 39:22

CEO 99:25

certain 23:22
24:24 40:22
62:8 81:14
116:20
117:10,20
144:21 150:4
152:7,14,17
156:1 162:25
182:4 188:10
192:10,14
202:20
241:16 250:7
285:23

certainly 10:8
42:13 63:13

66:15 81:2
82:15 156:19
168:19
169:17
192:17
225:11
266:20

certainty
79:2,9,17

cetera 91:14
188:20
191:16
263:21
300:14

chair 4:16
50:17 122:5
125:2 145:5,7
158:25 161:7
163:23
165:25
166:11
173:15,17,19
174:23 175:5
176:18,25
178:15 190:1,
3,5 191:17
194:3 199:4,
5,7 201:19
202:20
204:13
206:15 211:6,
8 290:21
291:2

Chairman
72:2

chairs 305:23

chance 54:3
176:21

Chandler 5:10
9:23 175:2

LEXITAS

change 60:3
68:16 75:13
140:25 147:8
152:1 167:7
169:22 170:4
236:3 250:2
257:7

changed
112:17 147:1
164:1,9
167:13,22
225:23

changes 12:2
24:24 55:17
59:8 87:17
147:23 197:7
273:12
313:17
316:21

changing
90:10 111:11
146:25
164:16

characteristic
s 78:5 188:7

characterized
264:9

charge 17:7
30:18 32:8,9
37:22 60:13,
23,24 61:1,22
68:19 92:17
133:8,25
155:15
159:19,20
194:9 242:14
246:8,14
280:20
311:14,15

charged
27:16 274:8

charges
22:11 27:15,
18 32:7,8
57:17 59:21
60:17 65:24
92:2 133:17
135:5 136:7,
8,12 242:5,
14,15,18
243:2 298:8
311:22

Charles 98:7

chart 99:3
148:16 203:2
265:17

cheaper
113:19

check 124:24
131:17
154:20

Chemical
279:15

chief 96:14,21

chill 23:10
192:7,18

CHILLS
194:5,6,11,
12,15,20
195:13,16

chips 99:13,
14

choice 12:18
43:3,6,7
89:24 122:24
123:1 146:18
234:6 265:25

choices
122:10 219:7

choose 12:18

19:7 123:6
145:16 146:9
281:13

choosing
219:24
220:11

chose 151:24

circle 49:1

circumstance
s 81:14
116:20
117:11
147:12,15
160:14
219:10
242:24

citation
121:24

cite 45:19

cited 121:23

citizen 53:17

citizen's
278:22

citizens 58:9
98:12 271:15
272:3,9

City 76:22
77:7,10
81:16,18
96:19 121:18
281:13
287:13

clad 46:6

Claire 38:11

clarification
131:8 161:25
290:19

clarify 181:17
203:9 214:9

clarity 38:6

class 32:2
79:7 104:8
236:25 237:4,
9 239:23
240:4,9,20,22
241:7 263:20
275:19

class's 14:16
62:16

classes 35:10
65:18 78:16
83:7 240:14

classes' 38:1

clause 21:13
249:8,9
250:6,24
251:6 297:20,
22 308:1

claw 112:14,
18,22

Clay 77:6

clean 16:17
52:4 57:24
59:24 61:9
78:18 83:18,
21,23

clear 16:24
43:4 52:9,14,
19 68:10 96:7
105:20 108:4

clearcut 94:5

cleared 248:8

clearly 36:22
39:19 42:5
122:8 142:4
169:23

277:22

clients 104:13
150:12

climate 83:20
234:15

Clizer 5:18
8:11 38:21
86:16,19,21
89:15,18,20,
24 90:1
121:14,19,23
122:5,18
125:12,17
126:15,16,21
129:12,15,17
130:5,7
143:18,21,24
144:1,22
145:3 161:4,6
167:14,23
169:20 170:3
173:13
177:23
178:11,17
189:24
193:20 195:2
199:1 204:7
211:3 293:9
304:22
307:14,17
309:17 311:2
314:10 318:1

Clizer's 310:7

clock 29:12

close 106:6
201:7 307:18

closed 46:25

closely 49:7
278:10
280:22

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

closer 115:3 122:13 123:19 124:24

closing 49:1

cloud 53:19 97:15

Club 4:25 7:6, 8 12:13 28:10 82:6,11,19,25 83:12 84:11 94:21 165:16, 17 176:7 193:11 202:8 211:22 277:16 279:20,21 293:16 305:6 309:25 314:17 318:9

cluster 16:22

CO2 55:11

coal 302:5

coalition 6:25 7:4 12:11 28:10 63:19 72:8 165:12 176:4 193:7 202:4 211:17 213:16 293:12 304:25 309:21 314:12 318:5

codified 14:1 31:15 35:3

cogent 45:22

cognizant 101:13

coincide 187:22 285:13,18

coincided 42:15

coincidence 247:22 298:18,23 299:9,10

Cole 5:8 6:14 8:19 9:24 179:8

Coleman 4:17 50:19 121:8 158:20,21,24 160:21

collaborating 51:24

collar 96:23

collateral 16:15 57:18 59:18 78:10 106:12,22 152:1,2,6,10, 25 153:9 161:19

colleague 9:23 63:20 182:23

colleagues 26:11 219:21 220:9

collect 67:24 238:21 241:19,23 242:19

collected 21:3 227:10,11 241:17,25

collectively 209:1

Collision 277:14 279:5 281:3

Colorado 287:19

column 123:8,9 278:23

combat 118:4

combined 99:18

come 6:5 13:19 40:3,4 72:24 75:15 77:16 82:25 87:2 89:9 90:21 95:20 98:13 107:20 108:19 109:7 110:6,11 116:19 117:21 126:25 146:1, 5 148:22 160:3 205:9 214:13 219:4 224:8,15,22 239:9,14 247:8 249:11 250:2,6,24,25 251:5 256:14 258:24 259:16 270:13 275:2 288:3 290:13 295:10 301:22 311:13

comes 28:5

40:23 91:18 92:5,10,15 106:12 108:9 110:18 160:2 243:17 244:25 245:5, 9 257:15 294:20 295:1 308:24

comfortable 123:19 152:20 162:3

coming 30:4 54:24 87:7,16 89:2 93:21 101:11 105:11 110:16 140:24 148:19 159:6 204:21 224:21 225:2, 4 233:16 243:22 250:23 251:3 253:3,5,11 256:17 259:25 293:3 304:16 319:1

commencing 4:2

comments 18:11 139:7 159:4 191:9 214:4,10

commerce 272:15,16

commercial 15:2 22:17 89:6 150:23 162:16 194:3, 4

commercially 148:5 149:2 163:7

Commission 4:6 5:12 10:10,22 11:21 12:17, 18,21,23 13:23 14:9 19:7,11 21:18 23:13 24:19 25:14 26:8,9, 12,15,17,24 27:9,12,14,23 28:4,6,20,22, 24 29:4,5,6,8, 13,14,20,23, 24 30:2,7 33:14,19,23 34:20 35:13 36:2,4,6 37:17 38:18, 25 41:1,2,18 42:18,19 43:24 49:14 50:9 51:2 52:20 61:4,12 63:6,17 64:7 66:14 68:9, 11,18 70:8 71:10 72:2 73:8,19,23 76:11,17 79:18 82:18 83:1 84:5,12, 17,23 86:12, 24 87:3,9,22, 24 88:4,10,17 101:22 102:1, 4,9,12,19,23 103:18,20,21 107:16 114:14 115:19

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

116:11
118:17
119:25 121:6,
10 123:6
132:4,7
136:18,21
138:1 144:9,
12,20 145:5,
16 150:21
151:14,16,21
158:15
161:23 162:8,
13 163:9,13,
16 168:17
175:17,20
176:11
189:12
192:23,24
193:15
201:22
202:14 206:1
207:1,14
211:5,7 215:4
224:9,13,16,
20,23 225:1,9
230:21 239:6,
11 244:16
247:18
254:22
256:11 257:6,
7 260:10
267:11,21,24
268:19
269:11
271:22
272:24 273:2
274:2,6
275:25 277:6
278:1,19
280:2 281:23
282:23
286:13,18,23
288:6 290:4
292:11

297:25 298:5,
8 303:24
306:18 311:6
313:10 315:1,
2 316:10

Commission's
11:23 12:6
18:19,22
19:18 21:8,23
27:6 39:14
41:16 63:25
169:3 175:14
209:8 267:14
272:19 276:4

**Commission-
approved**
15:1 32:25

**Commissione
r** 4:16,17,18
50:18 73:24
74:1,3,5,9,13,
16,19,23
75:3,5,8,14,
17,22 76:1,5,
8,10 79:22,23
80:1,5,19,22,
24 81:20,25
82:3,4 89:13,
16,19,23,25
98:1 114:11
121:8,10,12,
17,21 122:2,
3,18 125:4
145:6 158:19,
21,23,24
160:21
173:16
175:23 190:2
199:6 305:14,
15 312:6

**Commissione
rs** 4:15 9:10

50:19 64:14
71:13 82:17
173:15 190:1
199:3 318:18

**commissionin
g** 183:1
185:25

commit
105:19

commitment
53:7 105:21

commitments
13:11 16:11
18:11 65:24
78:25 99:5

committee
194:7

common
188:15

commonly
264:20

communities
40:15 51:21,
23 65:10

community
16:23 51:24
77:9,13,14
117:14 118:6,
7 160:12

**community-
interest** 160:2

companies
52:16 64:2
93:4 97:6,14
99:11 103:3
115:20,25
154:17
265:12
270:22 302:8

company
5:20 10:3
15:13 18:5
21:7 22:6
65:2,15,20
66:6 67:10
68:11,13
69:14 75:18
107:10
108:14
109:15
112:10 117:6
121:14
123:18,23
124:2,14,23
127:4 128:20
133:13 134:6,
14 135:2
136:1 139:23,
25 140:6
144:11,13
155:13
157:11
161:12 166:5
168:13 169:2,
9 179:7
191:22
199:25
205:16 210:2
277:7,10,17
279:11,18
308:25

company's
15:11,19 16:4
17:20,22
18:6,10 19:8
23:15 24:22
64:23 67:13
68:17 70:14
90:7 97:12
110:21 111:6
162:20 175:9
265:8

**company-
owned** 154:2

compare 47:2
105:22
301:23

compared
94:14,20
100:1 153:10
232:4

comparing
302:13

comparison
58:24

compensated
284:12,18

compete
17:18 84:7
218:22

competing
19:5 43:7
47:7 52:24

competitive
160:4,7
217:22 275:6,
18

**competitivene
ss** 25:19 78:1
160:14

complaint
169:13
256:19,24,25

**complementar
y** 16:15

complete
59:25 257:23
290:24,25

completely
60:10 125:17
199:12

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

226:22
253:15

complex 20:3
44:11 70:20
242:22
256:25 257:8

complexities
37:11

compliance
14:21 154:4

complicated
30:23

complies 73:6

comply 28:17
162:10

complying
33:24

component
107:13

components
22:11 31:24
32:3 52:10

comports
41:12

comprehensiv
e 69:1 78:10

compromise
79:21

compute
97:19

computer
10:14,17

computing
53:19 55:20
234:17

conceivably
46:10

concept 67:3
91:10 98:16
192:9 227:17
260:13,17
268:1

concepts
36:9 192:4
271:5 273:17

conceptual
262:7,21
270:9 272:21
273:1 281:4,9

conceptually
67:14

concern
20:19 32:16
95:9 119:8
151:4,13
192:15 268:8

concerned
288:8

concerning
90:25

concerns
53:25 81:3
96:8 97:22
139:9 204:25
218:25
260:11
284:21 285:9
286:12

concert
146:10,13

conclude
71:14 86:8

concludes
121:6

conclusion
25:6 39:21
73:3 118:16

144:18
145:20 309:3

conclusory
45:21

conditional
192:7

conditioning
235:16

conditions
4:25 29:7
41:24 44:12
47:15,22
59:10 112:2
144:21
150:24
160:17 215:9
219:6 238:22
239:21

conducive
219:10

conduct
58:24

conducted
156:6

conducting
156:5

conductors
56:10

confidence
52:18

confident
313:15

confidential
31:11 74:20,
22 175:7
177:6,15
291:1 316:15

confidentiality
163:9,15

confirm
178:18
188:14 226:9
228:4

confirmed
177:16

confirming
311:20

conform
128:13

conforming
12:2

confused
11:3 153:23

confusing
113:23
124:13

congestion
114:25 191:9

conjunction
34:15

connection
51:17 202:21,
25 203:6,24

Connection's
153:20

Connections
199:9

consensus
57:7 168:18

consequence
s 26:16

Consequently
49:10

conservation
24:12

conservative

192:16,18

consider 39:6
87:10,13
88:4,18 94:6
95:2 98:15
101:20,21
104:20,24
119:11,13,22
124:20
164:13,16
175:17 205:3
217:23
243:20
281:16
282:11

considerable
219:22 220:9,
20

considerably
20:3 273:23

consideration
38:16 49:15
62:20 88:11
217:9,25
218:18 268:4
274:7,21

consideration
s 219:5

considered
46:10 47:24
194:10
204:20
253:20
274:16
285:14,19

considering
34:13 66:16
99:14 119:9

considers
53:9

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

consistent
29:8 33:13
36:5 54:13
55:1 61:18
118:9

consistently
48:9

constant
282:5

constrained
93:24

construct
222:10

construction
13:20 40:5,12
64:24 76:25
77:2,12
134:20

consult 58:23

consultants
263:8,11

consulted
245:6

consume
231:14

consumed
40:11 133:9

consumer
47:10 276:22

Consumer's
279:12

consumers
54:7,13 99:11
222:7 233:25
251:23 274:9
280:12

consumes
298:4

consumption
55:21 80:2
232:12 233:4

contact 142:6

contacts
213:10 216:3

contain
246:24

contained
85:21 150:22
156:12
158:13
197:12
313:23 317:3

contemplates
32:18

contends
228:11

contentious
31:9

context 46:2
49:13

continually
52:5

continue 7:13
75:11 109:6
159:18

continued
79:12

continuing
77:15

continuously
55:12

contract
27:17 57:12,
13 59:17,22
60:16 61:17,
22 62:6,7

65:23 72:19
106:2 133:15,
20 135:9
136:10,20,23

contracts
33:18,20
113:8 256:6

contradiction
229:8 232:16

contradictory
226:19,20
227:7 228:11
232:19 233:6,
9,19

contrary 19:5,
23 48:13

contrast
25:17 34:3

contribute
59:11 304:16
306:20

contributed
292:13 293:4
304:2 313:12
316:12

contributing
55:3,25 118:5

contributions
85:18 135:6
292:17,22
304:6,11

control 22:13
48:16 158:6
252:5,14

controls
252:20

conventional
20:15

conversation
100:7 165:24
166:11 260:2

conversations
69:6 167:5
204:13
210:21 216:6,
10

Conversely
58:20

convince
224:16

cool 230:2,15
231:10,16

cooling 230:1
234:16 236:6,
7

coordinator
24:16

copies 9:7,10
10:9 129:4
132:19
182:23

copy 132:23
139:14,18
181:7 183:21
219:19 220:2
221:12,17
226:1,10
262:20
283:10

core 65:15
71:2

corners
150:14 151:1

Corp 279:15

corporate
53:17 61:9
78:20 154:6,

11,13,19

corporation
14:10 27:13,
21 84:5
181:15,19,22,
25 184:18
278:1

Corporation's
182:25

corporations
14:8 104:2

correct 74:11
116:14
126:21
128:16
138:14 139:5,
13 142:5
161:17 163:9
166:23 177:8
181:16,20,23
182:5,11
184:18,19
185:12,23
186:1 187:1
189:7 201:17
203:25
205:19 206:2
208:6 216:12,
23 224:18
227:8 228:24
229:3 238:13
244:4,7
247:23
248:14
250:21
254:17 255:1
261:10 262:6,
10 264:24
267:8 270:3,4
272:13
273:22
277:23

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

285:24
292:19 294:7
300:2,5 304:7
307:6,19,22,
23 308:5
309:1,6,7,11,
15,16 311:1

corrected
106:9

corrections
128:10,12
172:14 197:7
207:20
292:22
304:10
306:24
313:17
316:21

correctly
140:8 162:7
187:15,24

cost 16:13,24
17:6 21:4
22:14 25:3
31:24 32:2,6
35:16,21,23
44:13 46:9
48:16 53:21
55:3 56:12
59:4,5 60:12
65:18 68:12,
16 69:18
78:15 79:1
83:25 92:8,25
94:2 97:8
108:14
113:15
115:13
119:24
133:10 134:7,
15 137:5
155:5,8

160:10 191:1
231:20 232:5
236:25 237:4
238:5 239:5,
10,15,16,20,
23 240:5,14
241:4 243:9
247:5,9,13,19
248:17,23,24
249:15,25
250:9,15,18
251:9 252:19,
20 253:12,15
256:5 258:17
263:20
293:25 294:4,
13,21 295:2,
10,18,19
296:5,13,21,
25 298:15,20
299:2,13
300:12,13,18
301:14,17,21
302:4 308:3,
15,16 309:6,8
310:15,21

costs 14:15,
18 15:21
16:25 17:6,14
20:17 22:23
25:9,10 35:9,
11 37:24 38:2
55:2 57:21
59:12 60:9
62:17 65:3,17
66:25 67:16,
25 68:4,6,7,
20 71:4 78:23
79:11 83:7,9,
10,15 84:2
91:6,22,23
92:24 93:3,7,
9 104:7,9
108:22

109:17
115:12 135:4
154:7 159:17
225:6 227:17,
25 230:7
233:17
238:25 240:8
241:8,10,17,
18,25 243:13
248:10 252:5,
14 253:20
274:25
289:18,21
295:6,13
296:12,16,18,
22 297:17,19,
21 299:2
300:3,10
308:9,10,21,
25 309:5
310:21
311:21

Cougars
248:4,5

could 13:15
29:20,23
30:11 31:11
46:9 48:1,21
65:18 75:6
82:1 87:10
88:7 97:2
99:8 103:5
106:8 114:22
132:4,19
133:2 134:2,
4,10 135:16
140:23
141:22
146:15 147:1,
2,18 149:21
151:10 152:2
153:9 154:18
157:7,22

158:3,13
161:9 163:7,8
167:1,3
169:9,12
175:8,10
177:13
181:10 187:4
192:3 201:13
218:23 220:6
221:21
231:24
232:10,21,22
236:6,7 237:5
239:7 241:19
242:1 243:11,
15 250:10
253:2 257:4,
10,16 264:9,
10 266:5,6
269:16
275:25
281:13,14,16
284:2 285:7,
16 286:17,18
287:17 292:4
294:14,16,17
297:3 298:19
300:5,7
303:18 313:5
316:5

couldn't
138:4 167:21
241:20 264:2

council 64:9

counsel 5:17
10:10 38:19
45:3 65:6
70:18 73:10
86:15,22
131:21
143:15 161:3
173:12
177:22

189:23
193:19
198:25 204:6
205:13 211:2
265:16
276:21
278:24 293:8
304:21
307:13 314:8
317:24

counties
81:21

country 20:10
47:6 64:3
66:16 70:22
208:1 288:20

county 6:14
77:6 98:7
149:10 174:7
207:25

couple 41:6
102:2 132:22
138:7 182:21
264:4 271:5,
10 307:24

coupled
52:22 78:24

course 10:1
21:2 69:4
70:1 95:18
103:22 140:2
164:12
168:22
209:24
294:25

court 4:2 6:1
10:24 11:5,9,
14,17 26:1,4
50:5,10 63:12
82:14 106:20
126:12,19,23

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

131:12 134:10
170:11,15,19,
21,23 173:6
179:8 196:3,
5,8 198:13,17
217:12
230:19,23
253:24 254:3
258:6,10
260:25 285:2,
5

Court's 209:8

cover 35:16
78:14 106:1
155:8 198:2
238:21
248:12
249:25

covered
151:1

covering
155:5

covers 35:23

crafted 78:23

create 22:21
30:7 40:14
56:2 64:23
67:4 94:9,11,
17 270:12
286:9

created 45:15
48:2 111:3
112:13

creates 78:2

creating 30:9
91:13 96:5,16
98:20 108:6
110:4 137:9

creation 37:2,
16 66:12
96:13,25
286:24

creative
124:14

creators
100:19

credentials
263:8

credit 16:14
40:7 78:12
152:18 153:2
199:15

credit-worthy
78:13

**creditworthin
ess** 57:18

Creek 296:13

critical 77:23
97:5 191:15
201:12

criticizes
67:19

critique 67:22

cross 121:5
131:4 143:18
165:2 197:18
198:12 260:1
281:8 317:22,
24

Cross-examin
198:20

**cross-
examination**
130:10,12,14,
16 131:15
143:14,25
173:2,4

175:22
176:13
180:14,16
181:3 202:16
208:20
210:25
211:11 212:3
259:21 293:6,
21 304:19,24
307:11,16
310:5 314:6,9
318:17

**cross-
examine** 5:2

crossed
130:17

crossroads
258:20

cues 10:12

cuff 96:9

cure 101:2

curious 144:6
153:8

current 42:13
53:4,18 59:3,
7 80:3,8 89:4
114:21
121:18 174:5
236:2

currently 25:5
26:21 30:25
72:18 85:19
96:18 101:18
117:16
121:18 128:2
166:19 192:6
205:7 207:14
291:3 309:12

curtail 192:14

curtailed
192:3,10

curtailment
113:2 191:13

curtailments
24:10

curve 278:22
301:20

customer
14:16,21
16:18 17:2
18:8 22:15
26:21 30:16
31:11 32:4,6,
18,24 33:3,7,
9,11,13,24 34:4,
11,13,24
35:10,25 38:1
39:15 43:12,
25 46:4
47:11,21
49:22 57:18,
23 58:16
62:16 65:12,
18,22 66:11
67:3,8 68:7
69:23,25
76:21 78:10,
16 83:6 86:6
97:16,24
104:8 105:17
106:3,5 107:7
108:9,17,21,
24 110:6,7,
15,18 111:6,
18 116:19
134:16,24
135:1,6
136:7,15,17,
23 137:11,14
148:1 149:4,9
150:3 153:1

155:8,20
156:10,19
161:17 180:3
187:13 190:9,
18,25 191:6,
21 205:5
213:11,17,20
215:11 217:1
220:22
235:25 242:4,
12 254:11
256:2 257:12
270:2,13
288:2 308:23,
24 309:1,10
310:13 311:7

customer's
14:14 15:19
22:1 33:6
35:8 37:23,24
78:18 104:6
116:21
162:20 259:1
310:17

**customer-
choice** 16:5

**customer-
specific** 34:17
57:25

customers
4:11 13:9,15
14:10,16,18
15:4,22,24
16:1,9,20
17:12,13
18:24 19:1
20:7,13,17,22
21:6,10,15,25
22:9,17,23
23:6,7,8,11,
23 24:7 25:1,
8,11 28:17

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

30:8,10 31:1,
3,20 32:11,
12,15,20
33:5,16,17
34:22 35:5,7,
9,12,14,15,
17,18,22
36:12,14
37:3,7,8,25
38:3 39:23
41:20,21,25
44:2,15,18
45:6 46:7,8,
14 48:2,21
49:14,24
54:3,10,20
55:4,8 58:12,
13,23 59:4,
11,12,15
60:8,9,11,15,
22,24 61:8,
15,25 62:5,18
64:18,20
65:5,9 66:4,
17 67:9,25
68:4 69:12,
15,17 70:24
71:5 77:21
78:3,5,7,13,
14,19 79:16
83:6,8,10,14,
18,19,23,25
84:1 85:10,16
86:1,2 89:6
91:7,22 93:3
94:4 95:15
101:16 104:3,
4,8,10,16
105:12,14
106:13,22
107:3 108:4,5
109:1,5,12,
13,18 110:11,
12,17,24

111:2,3,4,10,
21 112:8,11
120:19 121:4
131:23
137:16
138:15,18
147:11,19,21
148:6,13,19,
25 150:7
152:7,17
153:2 156:14,
18,19 157:21
158:7 159:7
162:16 169:5
190:16,17
191:7,18
194:13 200:1
201:10
204:14 205:6,
10,12 213:7
214:18,24
215:12 219:7,
23 220:10
224:8 225:2,4
227:20 228:6,
9 233:12,17
236:4 239:1
242:21,22,25
243:21 249:8
253:3,11,14
258:23
260:13,17
264:19,21
265:2,4,9,25
267:6,12,16,
17 268:2,6,12
270:10
272:22 274:5,
19,24 275:2,
21 276:8,12,
19 277:7,10,
12 278:4
279:7 281:12
282:3,16

283:14,18,19
286:9,10
290:8,12
309:14
310:22 311:4

customers'
22:13 25:4

cut 90:4 260:1

D

D-E-R-E-K
180:2

D/b/a 4:9,10
5:20

data 5:1 6:24
7:3 12:11
13:1 28:10
29:21 30:6,11
32:15 37:5
42:16 43:2
45:6 51:6,8,
11,13 52:25
54:7,12,24,25
55:21 56:3,5
60:3 63:7,19
64:1,3,18
65:8 72:7,8
76:21,22,23
77:2,8,21
80:3,16 81:9
82:20 87:17
90:13,19,21
91:2,5,19
93:2,5 94:3,8,
24 95:5,15
96:15,19
97:17,25
98:2,8,13
99:13 100:8,
14,18,20
101:7,8,11

102:6 106:20
115:1,3,4
116:8 117:2,
25 118:5,20
120:10,14,19,
21 121:3,14
156:23,25
165:11 176:3
193:6 202:3
211:17 213:8,
11,15 234:12,
14,22,23
235:6,18,20
236:4,13,15,
18 259:9
261:6 263:12,
13 264:20
265:24 268:1,
7,10,14,21
270:6 277:14
279:5 281:2,
12 282:7
284:22
285:10 286:7
288:1,9,11
290:7 293:12
304:24
309:21
314:12 318:5

date 142:9
183:2 294:7

dates 142:3

Davis 77:8

day 52:4
87:17 90:14
98:3 121:3
124:4 235:3
237:10 259:2,
8 299:9
318:24

day's 235:5

days 31:12
235:12
255:22

DCC 12:12
63:21,25
66:8,10,21
67:12,17
68:10,21,23
69:9,21
70:12,24 71:7
165:13

DCC's 64:6,
19 67:2,6
69:13 71:15

DCFLEX 56:1

DCI 272:18

deadline 8:21,
23 29:12

deal 80:12
150:7 151:23

dealing 87:14
199:17 267:6,
11

dealt 151:6,8

debate
297:15,24

decade
258:17
297:16

decades
82:24

**decarbonizati
on** 13:2

December
138:20

decide 42:19
159:23
224:14

LEXITAS

230:12 282:8

decided 85:9
225:20,22
230:13
297:25 298:5

decides
106:14
254:22

deciding
106:18
282:11

decision
26:25 29:13,
17 30:4 34:22
49:15,17
88:2,6 102:15
103:8 225:23,
24 234:5
266:2 290:5

decisions
26:16 45:13
49:11 52:7,8,
11 103:4
277:4

decrease
106:25

deem 28:1

Deepseek
289:14

deets 107:25

default
191:18

defer 212:24
218:12 221:4
254:15 255:2
257:23
285:25 286:2

deference
33:21

deferral 29:1
36:7 257:21
283:24,25
284:3,9

deferred
257:12

deficiencies
59:7

deficiency
60:17,21 61:2

define 24:14
103:5

defined
16:11,22
21:22 51:14
136:9

defining
67:25

definitely
75:7 91:12
94:7 102:24
123:18
168:20
251:21 286:2

definition
175:11

definitional
212:8

degree 47:6
88:17 247:25

delay 10:8
54:18

delayed 79:13

deliberate
53:9 66:24

delineation
191:19

deliver 25:20

demand 13:4
14:12 16:11,
16 17:7
30:18,19,24
32:7,9 35:6,
14 49:22
53:16,18
54:20 57:23
59:21 60:13,
15,16,25
61:1,22 65:24
83:19 89:2,4
90:8 94:1
97:20 113:7
136:11
155:15
191:22
192:13 259:1,
3 265:10
283:20

demand-side
55:18 56:4
226:17
227:13

demanding
89:7

demands
15:24

demonstrate
148:12
149:12,15
150:12

demonstrated
152:18 153:2,
4

Denton's 9:22

deny 119:14

denying 22:7

department

237:21 238:3,
7 262:19
263:2,3
272:10
296:19
316:11

departure
21:17

dependent
22:12 149:8,9

depending
75:1,9 185:15
300:6

depends
231:23 311:5

deployment
51:11 56:8

deposit
116:17 159:2,
10 160:20

deposits
16:21

depth 67:22
81:7

Derek 18:7
179:6,7,19
180:2,5,19

describe 12:5
70:19 188:16

described
14:24 133:15,
20 135:9
136:10 146:3
192:18 296:7

describes
27:8,11 97:24

desegregation
190:16

design 20:4
111:17
124:12
155:22
217:25
236:22
238:25
240:15,19
242:13,19,21,
23 243:6,7
263:21
280:19

designed
41:5,7,11
138:1 155:18
159:25 160:8,
12 240:6,23
241:16 243:7
270:9 271:18,
23 274:23

designing
30:6 60:10

designs
201:11

desire 39:11
61:10 191:21,
22

despite 22:8
101:9 121:1
251:17
255:12 256:4

detail 36:16
71:1 147:7
148:1 166:1,7
184:7 229:5

detailed 15:13
19:16 58:24

details 36:15
42:3 43:14
113:25
118:13,15

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

177:7 188:13
212:24

deter 44:20

determinants
241:18 242:6,
18

determination
28:7 73:1
102:9 276:11

determinative
58:5

determine
29:20 33:24
43:24 60:3
102:21 152:9
238:19,20
256:22
301:15

determined
309:9

determines
144:10

determining
28:5

detriment
21:2 37:1
251:23

develop 14:8
51:6 53:8
243:20 247:5
263:9 267:11,
15,20 286:19
290:13

developed
14:22 18:25
20:6 45:1,11
55:11 57:6
72:15 79:14
108:1 137:4
218:24

220:21 221:7
237:2,6,11,
15,19,22
238:15 239:4
240:1 246:19,
22 262:7
273:2 276:24
286:11
296:17

developers
56:5

developing
37:20 55:19
215:2 216:2
238:15
243:18 296:6

development
12:19 13:1,25
15:20 19:24
23:10 29:25
36:23 37:17
39:18 40:18
41:9 42:6,12,
16,22 43:21
44:4,8,20,21
45:14 46:18,
21 51:13
72:14,17
73:11,18 75:6
77:9 78:20
84:8 85:8
95:1 111:15,
16,22,25
112:6,12
163:19
173:22 174:9
215:3 262:20
263:8 268:9
272:5,7,12
274:14,15
275:7 295:22

developments

13:3 18:12
91:13 217:19

develops 79:7
294:8,11

deviates 20:9
58:20

deviation
32:7 60:13

devices 7:10

diametrically
19:8

dice 191:5

differ 60:16
299:20

difference
105:24
141:16 152:4
155:4 234:4
236:17 300:8
301:25
308:14
309:11

differences
36:13 200:9
280:7,16
302:7

different
23:21 43:11
60:10,25
70:3,20 72:3
81:3 84:10
98:12 104:14
138:2,5
145:23,25
146:4 148:16
167:15,25
168:21 190:6
200:6,25
236:12
241:17 242:5,

17 243:2
272:20,23
273:23 302:8

differentiate
199:20

differently
242:9 254:8

differs 130:16

difficult 42:10
45:23 69:6
145:25 146:6
225:16 257:8

difficulty
113:5 254:1

digging
243:17

digital 53:3
54:5

digitization
51:17

diligence 51:2

direct 38:14
81:8 83:25
127:19 128:4,
23 142:6
171:24 172:8,
15,21 179:10,
23 196:22
197:3,21,22
207:6 216:11
221:18
291:25
303:14
306:12
312:20 313:1
315:19 316:1

directed 77:5

direction
50:25 132:16

151:5

directly
119:18,19
123:15
124:21 140:5
168:12 210:2
283:1

director 18:2,
7,13 44:25
71:19 77:9
172:7 180:3
207:14

directors
244:14

disagree
146:8 170:5
252:11

disagreed
228:25

**disagreement
s** 19:16

disagrees
21:21

disaster
100:25

disconnection
105:10

discount
155:21

discounts
78:12

discrete
242:5

discretion
21:25 22:6
33:4 257:24

discriminate
46:14

LEXITAS

discriminatory 23:8 60:7 274:10

discuss 18:10 64:5 95:8 140:24 157:15 188:18 189:5 217:5 246:17 280:7

discussed 7:19 23:25 69:21 210:21 214:4 224:22 265:7 266:10 286:5

discusses 17:24 18:6,14

discussing 176:17,25 178:15

discussion 53:13 90:6 102:25 103:15 119:18 140:15 141:10 147:3 148:25 161:7, 13 164:2 173:23 214:5 269:2 301:12

discussions 139:24 140:1, 3,5 141:3,4,6, 13,20 142:1, 11 145:15 148:17 163:23 168:6, 12 205:4,13 209:23,25 210:2,6 214:8

217:6

dismal 96:16

disparate 83:3

dispatch 55:12 295:20 297:2 300:15 301:15,23 302:14

dispatched 190:24 191:3 248:16 299:11,12 302:1

dispatches 295:4

dispute 156:24

disseminating 181:25

distill 43:22

distinct 15:4 122:10 134:21 272:20 273:23 275:24

distortion 114:9,19 156:2

distortions 115:2

distribute 55:1 132:19

distributed 9:7

distribution 183:2

district 58:13 277:17

districts 279:17

disturbances 187:11,17,18

diverse 30:10 31:20 32:4,15 47:9 58:7 67:10 77:20 150:3 209:1 272:6,7 276:7 280:1 287:7 290:14

diversification 84:2

diversify 64:25

diversity 30:14

divide 240:6

division 207:15 221:6 244:2,5,14 263:3

division's 243:24

divorced 44:13

Dixon 42:2,9, 17 46:24

docket 29:24 36:19 37:16 43:6 83:2 84:14 138:16 166:24 286:24

doctrine 33:14

document 177:10 178:25 186:10,12 188:24 189:16

documents 146:16

doing 21:23 42:7,19 87:12 113:11 190:13 212:6, 7 220:20 232:15 233:19 235:14 238:18 239:8 247:6 262:2

dollar 52:17

dollar-for-dollar 254:20, 23

dollars 40:1 64:22 92:3 117:2 159:6 234:3 238:20 242:12,13,20 253:10 255:8, 23 256:4,6,7 289:17,18,19, 21

Dome 55:11

done 43:15 45:10 48:4,18 112:8,24 157:7,8 159:21 162:7 237:8,13 244:21 247:11 260:4 296:7

door 201:7

Dority 9:25

dot-com 100:2 288:17, 19

double 93:12 124:24 284:1, 5,10

doubling 90:2 95:25

doubt 94:9 220:16

down 71:3 81:15,18 84:2 87:19 93:12 104:19 114:24 134:10 141:19,23 226:23 260:1 275:17

Dr 56:18 62:23 94:14 108:1 113:23 118:15 121:15 166:6 173:24 174:1 176:17,24,25 177:6,12 178:3,7,12,14 290:20,24 291:1

DR34 290:22

DR92 290:21

draft 263:16

dramatic 12:25 98:4

drastically 23:9

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

drink 97:24

drive 84:1
275:6

driven 12:25
13:25 40:10
90:13 287:18

driver's 28:4

driving 52:3
93:19

drop 159:23

dropped 99:1

dropping
117:1

drove 288:20

DSIM 233:21

DSM 227:13,
16

due 31:10
114:21
122:25
186:12
234:16
290:24

duly 127:17
171:22
179:21
196:20 207:4
291:23
303:12
306:10
312:24
315:23

duplicate
158:12 162:6
163:3

durable 25:20

during 19:19
24:15 34:20

62:6,22 126:2
131:18
174:24
187:19
192:10 256:1
266:25 308:2,
8,16,22

Dutch 288:25

duty 274:7

dwarf 253:3

dynamic 53:7

dynamically
55:20

dynamics
53:4

E

E-L-L-I-N-G-E-
R 72:1

e-mail 4:24
182:1

E.a. 19:12

E3 71:20

each 30:16
32:6 35:3
43:8,15 51:24
57:6 81:15
92:2,7,21
105:1 123:7
130:18
134:16
168:19 190:8
191:3 229:9
232:16 233:7
240:4,20
299:19

earlier 11:15
103:8 114:11

115:14
122:21 130:1
173:20
176:18 189:5
199:8 209:9
210:7 213:25
214:4 215:20
249:11
266:11
287:11
289:13 291:2
301:13

earliest 13:14

early 66:15
100:2 288:17

earn 222:18
223:20
252:20

earned 96:16
144:11

earnest 140:1
149:11
209:23

earning 132:3
151:17
256:20

earning-
sharing 151:7

earnings
148:9 149:13
166:7 169:10,
14 252:13
256:23

earns 21:7
169:3

earth 112:21

eased 251:15

east 287:12

eastern
287:21

easy 109:10,
22 115:24

eat 257:18

echo 88:3

economic
12:19 13:18,
24 15:20
19:24 23:10
36:23 39:18
40:9,14,18
41:8 42:6,12,
22 43:20
44:4,7,20,21
45:5,13
46:18,21
51:20 54:8,23
64:25 72:13,
16 73:11 77:9
78:1 79:13,16
84:8 85:8
91:13 94:25
111:15,16,22,
25 112:6,12
117:19
163:19
173:22 174:9
217:18 261:6
262:20 263:8
268:9,21
272:5,7,11
274:14,15
275:7,11

economics
71:20 248:1

economist
236:19 249:2
252:3 303:25

economists
102:13

economy
25:13 39:22
51:19 53:5
54:5 269:9
290:14

EDR 154:22,
24,25 155:7,
10,17,21

educational
52:1

effect 19:5
27:25 46:7,
17,19 47:4
131:22,25
236:2 250:1
267:6

effective
113:15
240:20

effectively
15:21 17:18
33:17,24
111:1 116:17
145:15
161:12 164:8,
14 227:23

effectiveness
114:8,9 156:3

efficiency
48:16 52:5
54:19 301:20

efficient
54:14 231:7
252:15,19
289:12,16

efficiently
233:13 252:6

effort 221:2
257:5

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

efforts 51:6
70:13 85:6
134:25

EFIS 5:4

eggs 272:6
290:6

eight 55:13
104:20
226:13

eight-year
105:24

either 88:6
140:5 168:12
197:8 210:2
229:6

elaborate
145:18
188:17

electric 5:20
39:8 47:19
54:10,15 55:7
56:1,10 66:19
83:11 114:20
115:18
181:18,22
182:24
184:18
214:19
217:20
229:20 230:7
232:22
246:23
270:22 277:2,
17 289:18
298:21

electrical
12:24 14:7,9
27:13,21
77:11 104:2
156:25
181:24

electricity
13:5 27:10
55:22 72:12,
19 115:9
229:24
230:15
231:10,15,25
232:25
247:20
266:16,20
289:21
298:16,21
299:3

electrification
13:1

electronic
7:10

elements
30:25 31:23
32:1 33:5,8
133:18 135:7
280:20,21

Eleven 38:4

eligible
136:17
154:23,24,25
155:12

eliminate
251:21

eliminating
251:19

Ellinger 6:12,
13 71:24,25
73:25 74:1,4,
8,11,15,18,21
75:1,4,6,9,16,
19,24 76:3,7,
12

else 72:4
111:20 121:1

279:19,24
281:15

elsewhere
104:22

embezzlement
255:13

emergency
24:9,12,14,16
113:2 191:13,
20 192:19

emerging
57:7 58:21
59:9 61:14
63:1 188:4,7

EMM 10:4
24:11 28:8
34:13 203:1,
13 227:11

emphasis
64:16 184:8

emphatic
101:9

Empire
277:17

employ 40:5

employed
127:24 172:4
207:12,13
292:8,10
303:23
306:17 313:9
316:8,9

employees
263:16

employer
72:9 73:12,13

employing
94:21

employment
72:11

EMW 10:4
24:11 28:8
34:14 227:10

enable 16:16
55:22

enables 14:7
31:7 54:15

enabling
79:16

enacted 14:1
35:2

encourage
12:19 85:8
107:25
113:23
118:14
156:19

encourages
30:2 68:10

encumber
83:6

end 14:18
20:21 21:14
41:19 42:16,
24 49:24 90:5
106:21 117:6,
18 120:25
121:2 124:4
125:11
143:17,20,21,
23 181:15
207:24
234:16 289:2

end-use
29:19 236:7

ends 27:22

energy 13:8

16:17 17:24
24:12 30:18
52:5 53:5
54:13 55:1,2,
9,11,12 57:24
59:24 61:9,
10,11 71:18,
19 78:18 80:2
83:18,21,23
93:24 94:1
108:15,24
113:4,5,14,
15,20 133:4,
7,8,11,16
154:1 181:15
192:19
199:15
232:12
233:12,23
246:4,7,8,14,
25 247:21
263:3 271:15
272:2 283:20
294:23 295:6,
14,24,25
297:18
298:17,22
301:14 308:3,
9,15,16,21
309:6,8,9
310:15
313:11
316:10

enforced
27:16,17

engage 18:24
54:20

engaged
140:2 209:24

engages
240:15

engaging

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

99:5

engine 94:25

engineer
156:25
292:11
313:11

engineering
156:24

engineers
294:2

enhance
56:10

enhanced
15:3

enhances
54:21

enormous
90:10 95:23

enough 65:12
92:12 102:16
116:23
124:18
152:20,22
164:19
226:23
250:18
276:14

ensure 14:13
17:18 30:5
37:23 41:14
46:5 59:10
62:15 79:5
83:5,8 84:9
85:17 104:3
222:5 241:6
268:5,11
274:23

ensures 35:7
78:14,25

ensuring
17:13 25:8
67:8 79:10

enter 8:4
186:4

entered 9:20
28:11 277:18,
25

entering
293:4 304:17

entire 99:20
141:18 154:7
212:11
228:21,23
260:12,17
267:16
272:10

entirely 95:6
115:17
161:21 201:7
237:11

entities 60:18
149:10 182:9
185:3 187:10
220:25

entity 72:6
114:23
138:10 182:7
185:6,10
188:22
289:11

entries 5:6

entry 6:12,18
30:8 37:2
270:13 286:9

environment
53:6 87:15
151:19

environmental
71:20 77:22

97:23 156:6

envy 86:24

EO-2025-0154
4:7

EPRI's 56:1

equal 62:1
247:20
254:24
298:16,22

equation
48:12

equipment
234:17

equitable
267:15

equivalent
278:23

erasing
227:24

erecting
46:25

err 101:23

error 97:5

errors 71:6

ESA 34:5 80:9
150:15,23

ESAS 150:13,
17,20

especially
32:17 152:17
153:1

essence
43:23 190:25

essential
177:9

essentially

46:5 71:8
80:10,14
212:10
263:15

establish
27:24 42:5
54:4 219:25
220:12
274:18 308:3,
20

established
21:17 26:14
27:16 57:11
60:5 188:4

establishes
59:9

estimate
34:16

estimates
60:15

et 91:14
188:20
191:15
263:21
300:14

ET-2025-0184
29:16 283:11

Eubanks
38:11

evaluate
169:10

evaluated
36:18

evaluating
85:5 274:1

evaluation
49:21

evaluations
16:21

even 13:7
20:13 23:4
30:13 35:22
46:9 49:7
61:23 90:4
92:23 93:10,
20 97:13 99:2
108:12 109:7
119:10
155:10 174:6
199:22
217:23 257:4,
15 289:4
290:10 298:1
307:18

event 21:10
169:5 192:14

events
187:19,22
191:20
192:11

eventually
288:24

ever 20:9 99:8
118:17
237:12 241:3
297:6

Evergy 4:8,9
5:7,10 7:20
8:7,20 9:4,24
10:2,3,4,5
11:7 12:6,11
13:12,15
14:3,22 17:16
18:4,9 19:15
20:4,9 21:9,
12,21 23:25
25:22 27:4
30:21,25
31:7,18 32:16
33:3,24 35:1,
19 36:1,2,25

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

43:15 47:5
50:25 54:10
55:8 56:14
60:19 65:22
66:5,9,15
67:3 70:6,18
72:22 74:15,
16 83:13,17
88:23 89:1,6,
8,17,18,22
93:15 108:19
110:5 113:6
116:19 117:9
120:15
127:25 128:6,
7 131:22
147:25 148:2,
5 149:22
150:1 151:11
155:6,25
159:2,9
160:11
164:13
165:20 169:5
172:5,9,10
174:4 177:25
178:24
179:16 180:4
182:7,12
185:9,11
189:9,11
200:18
202:24 204:9
213:25 214:6,
10,12,13
215:8,19
224:6 227:19
228:5 234:21
247:19
249:19 250:5,
22 258:16,23
259:19
264:17
265:13

272:25 273:7,
12,14 277:13,
20,24 279:1
283:13,16
284:15
286:21 289:4,
22,25 290:19
298:16,20
299:3 300:4
301:2 305:11
312:3 314:22
318:14

Evergy's
11:21,23 13:7
14:24,25
15:7,12 18:25
19:17 20:20
21:24 22:7,18
23:11 24:18,
20 25:6 27:2
29:4,5,6,20
31:21 32:17,
23 33:2,4,10
34:2,11 36:8,
10 39:24 41:3
42:20 43:4,18
44:3,13 47:4,
16 61:5 64:6,
12,16 69:2
76:20 83:15,
24 96:1 108:6
111:12 112:5
120:2 125:7
138:21 143:4
144:9 145:16
156:4 163:25
185:13,21
191:14 213:9,
24 214:10
235:3 241:2,
4,16 243:7
260:11
265:11 266:6,
8 273:21

278:3 294:19
296:12
299:22

every 27:13
52:4 70:2
81:6 87:16
112:3,4 117:7
148:21
190:25
218:11
233:22 248:9,
23 250:25
258:18

everybody
10:18 63:10
91:20 92:8
93:10 100:7
111:19
113:20
279:25
288:18
290:15

everybody's
93:10

everyone 6:4
11:1 72:4
93:22 94:2
160:19

everything
87:11 90:23
101:10
281:15

everything's
203:3

evidence 5:3
9:5 29:15
39:20 44:10
62:20 147:25
175:18
178:20 258:2

evidentiary
4:7 62:22

evolving 53:6
87:14

exacerbate
284:22
285:11

exact 227:1
242:3

exactly 36:12
91:25 108:7
109:2 174:15
175:12
244:12,17,20
247:10,18
269:4 273:18
279:13
283:22 287:4

examination
127:19 145:6
158:23
165:22
171:24
173:16 178:1
179:11,23
190:2 193:24
196:22 199:6
204:11 207:6
211:7 283:7
291:25 301:8
303:14
306:12
312:20 313:1
315:19 316:1
317:24

examined
20:4

example
20:19 43:1
54:11 58:22
60:13 87:24

88:8 92:8
94:14 95:4
96:12 98:7
102:8 114:25
137:8 149:25
157:12 160:3
161:19
188:18
199:21
229:17
235:13
242:11 266:5
287:7

examples
34:7 37:12
150:1 153:4

exceeding
16:9

exceeds
21:10 169:6

Excel 177:9

excellent
77:11

except 24:23
247:21 249:6
298:17,23
299:9,10

exception
26:18

exceptionally
122:19

excess 21:14
131:23

exchange
204:16

excited 85:24

excluding
17:2 210:14

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

exclusively
68:3

excuse 172:9
278:21

excused 4:21
171:10,11
179:4,5
195:24 206:8
302:21,22
305:20
312:10,11
315:5,6
318:23

excusing
305:18
318:22

executive
42:4 96:14,21

exercise
21:24 41:2

exercised
33:20

exhibit 17:8
128:24,25
129:3 130:3
143:2,3,4,11
163:20
168:10
172:11,18,21,
25 180:18,22,
24 181:8
182:20,21
183:3,5,7,8
184:13 186:4,
17 194:20,23
195:3,5,9,10
197:4,17
198:1,7,10
207:18,21
208:3,11,17
270:17 271:1

292:14,24
304:3,11
306:22,25
307:3 313:14
316:14,19
317:12,16,18,
20

exhibits 7:12
128:8,20
129:11 130:6
197:20

exist 30:13
222:12
223:13 225:5
289:11
290:10

existence
255:12

existing 12:2
15:19 16:1
17:12 21:5
23:7 24:23
25:1,5 27:3
28:16 35:17,
21 36:14
54:17 56:11
58:12 61:15
75:13 78:7,11
79:16 90:8
93:7 100:1
101:15 108:6
109:3 112:5
131:22
147:19
190:17 225:6
230:5 232:13
274:19

exists 48:14

exit 57:16
61:25 62:1
78:23,25
106:16

expand 78:3
80:17 81:21
150:2 233:17

expansion
85:22

expect 50:14
282:3,15,18

expectation
258:25

expectations
58:18

expected
15:25 94:16
230:14 231:9
283:20

expects 25:15
65:20 110:6

expense
300:20

expenses
28:25 36:7

expensive
93:13 248:11,
22

experience
19:1 46:9
84:10 185:1
214:22 215:1
254:11
263:12 294:3

experienced
288:22

experiencing
12:24 256:11

expert 185:16
212:25

expertise
248:19

experts 100:4
214:23 215:1
246:18
263:18 286:2

explain 17:20
20:13 21:20
64:10 91:25
95:16 113:25
116:12
190:12
195:12
205:16
224:19

explained
11:21 24:11
56:18

explains
20:24 22:20
24:25

explanations
38:5

explore 52:17
124:15 254:6

explored
192:6

exploring
36:10

expressed
163:25

expresses
20:19

extend 229:24

extension
62:3

extensions
201:8

extent 80:16
144:16,17
157:3 214:12

261:23 298:7

external 18:3
172:7

extra 9:10
126:2 160:6
174:12

extract 225:6

extracting
98:23

extreme
100:15

extremely
77:14

___

F

F-I-S-C-H-E-R
198:16

F-O-R-T-S-O-
N 316:7

FA 310:10

FAC 21:13
24:18,23 25:5
28:17 108:3,
6,23,25
109:3,11,12
132:10 138:4
146:23,25
147:9,13,23
163:22,24
164:1,17
167:5,7,10
296:2 298:11
307:21,25
308:8,14,21,
22 309:11,13,
14 310:13
311:7,11,12,
14,15,22,23

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

face 48:9

faced 12:17

facilitate 13:24 29:24 37:17 185:18

facilitates 31:19

facilities 27:20 40:11, 13 53:2 96:17 227:22 260:13,18 266:1,3 282:4,16 285:24 289:7, 10

facility 13:12 80:13 81:15, 16 136:12 149:6 227:25 259:7

facility's 280:20

facing 156:10

fact 32:23 44:20 48:8 58:16 66:10 81:14 93:23 107:19 225:17 228:17 232:3, 25 251:4 265:7

factor 32:12 133:14,19 135:8 136:10, 19,22 142:23 143:5 282:10, 12 310:9,10, 11

factories 30:12

factors 47:24 218:24 266:4 281:16 282:5, 7 287:6 288:1

facts 230:8 231:2

facts-base 120:5

fail 60:19

failed 95:10

fails 59:13,20

fair 12:20 41:5,20,21 44:1,2 46:5 72:25 79:11 83:8 164:19 212:21 214:20 215:20 216:17 219:8 226:23 241:13 256:21 261:13,24 267:15 269:13 274:24 283:13 294:4

fairly 83:1 106:6 107:6 117:20 260:4 268:11

fairway 17:16

faithful 43:20 44:4,9

fall 74:24 75:7 97:18 150:4 311:3

falls 61:14,23

false 149:12, 13

familiar 164:5 167:10 181:13,21 183:15 186:18 265:12 279:15 307:21

familiarity 190:7

family 229:21 234:5

far 7:15 26:20 30:24 31:1,9 148:17 188:21 200:8 254:13 281:25

far-reaching 26:16

Farley 96:21

fashion 45:21

fast 261:1

fatal 56:17 146:15

feature 113:2

features 16:5 204:25

February 273:15

federal 42:25 117:16

fee 16:12 57:16 62:1 106:16 107:7,

8,12 159:3

feed 238:6 295:19

feedback 103:14

feel 201:12

feeling 281:11

fees 57:15 59:18,22 62:13 65:25 78:25 107:5, 17

feet 230:2,3, 11 231:3

felt 69:11 141:22 153:12,13 201:16

FEMALE 164:24 175:24

fenced 46:8

few 4:19,20 45:4 56:22 91:14 193:23 225:19 227:12 242:19 258:24 283:5 287:18 293:3, 20 297:12 304:16

fewer 94:11 101:24

field 84:7 90:11 146:6

fields 146:4

fiercely

289:15

fight 106:19

figure 158:10 291:7 295:12 300:15

figureheads 99:23

file 5:4 8:8,9, 16 27:13 125:23 126:7 163:8 169:12 256:24

filed 4:21 7:16 8:5 15:6,14 18:23 27:4 28:11,13,14, 23 29:11 31:18 33:13 43:20 58:4 63:3 67:13 68:22 69:10 83:1 84:4 88:24 126:2 128:14 130:19 138:2 140:2,11 142:17 149:22 180:6 197:2 203:7 209:9,11,24 212:12 214:12 215:7 228:22,23 229:1 244:10, 11 273:19 282:14 316:17

files 257:15

filing 7:23 8:21 29:8,17 36:5 41:4

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

50:24 112:15
125:7 138:22
140:12 169:9
205:21,25
245:16
262:18
283:10

filings 148:11
204:22

filtered
104:21

final 29:25
36:21 37:18

finally 48:19
79:3 95:18
99:22 103:7
107:4 136:25
195:23

financial
13:11 53:12
65:25 78:12
102:5,10

find 43:10
143:2 153:16
201:3 221:10
289:11,20

fine 153:13
178:23 179:1
212:7

finish 167:17

fires 115:8

firm 6:23 7:3
9:21 71:18
75:18,20
134:21

firmly 36:22

firms 97:7
102:14

first 13:16
41:7,22 42:1
44:19,21
48:7,14 50:13
51:15 62:6
76:20 77:25
83:5 89:10
91:5,18 102:4
103:22 105:4,
8 121:7 126:9
127:17 131:1
144:5 159:11
171:22
179:21
187:18 190:8
192:20
196:20
203:18
204:20 207:4
208:23
211:11
241:22 258:7
261:15,22
262:1 264:17
291:23
303:12
306:10
312:24
315:23

Fischer 5:9
9:25 134:9
196:17,23
197:16,21
198:2,11,15,
18,19 204:10,
12 206:5
209:6 211:10
259:20,22,24
260:24,25
261:3 269:6,
16,19 270:16,
19 271:3,8
282:20

Fisher 270:25

fit 8:16

five 16:7
61:18 62:6
89:9 96:3
98:22 99:20
105:8 152:2,
25 153:10
249:7 259:5
288:14

five-minute
196:4

five-year
88:23 90:3
96:4 99:15
105:10

fix 103:1

fixed 55:2
65:2 71:4
91:6,21,23
93:3,7,9

flat 30:17,18
32:13

flawed 67:15
69:22

flaws 56:15,
17,21 70:16,
25 146:15

fleet 13:6

flexibility
25:14 31:5
52:19 55:19
56:4 67:9
69:15 78:19
150:7 154:13
160:1

flicker 114:23

flow 25:4
108:23,25

309:11
310:13

flowed 288:11

flowing
287:16
311:22

flown 109:9

flows 309:13

focus 51:8
67:17 88:21
104:23
137:19

focused 24:4
236:8

focuses 68:3

Focusing
212:7

folks 80:9
263:4 295:18

follow 7:16
103:23
119:25
145:10 157:4
223:11

followed 57:6

following
12:10 19:9
51:14 310:7

follows
127:18
171:23
179:22
196:21 207:5
291:24
303:13
306:11
312:25
315:24

foot 96:17
229:19

footage 232:9

footprint
200:15

for 4:6,10,25
5:10 6:12,18
8:14,21 9:6,8,
10 10:13
11:6,9,23
13:4 15:2
16:1,9,19,23,
24 17:5,19,21
18:19,21
19:11,18,20
20:19 21:5
22:14 23:18,
23 24:5,23
25:25 26:2,4
28:8 30:6,8
31:5,8 32:19
33:16,23
35:2,15 36:11
37:3,7 38:15
39:5,25 40:7
41:1,20 43:1
44:2 45:12
46:25 48:3,5
50:4,10 51:18
52:13,14,24
53:2 54:3,11
55:4,12 56:3
57:11,25
58:22 59:4,8,
19 60:11,13
61:19 62:19,
20 63:1,7,12,
25 64:1,17,21
65:12 70:18,
24 71:21
72:16,25
75:15 76:6,18
77:12,16

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

78:2,7,19
79:8,9 80:8,
13 81:22
82:11,13,24
83:3,14,17
84:6,7,11,14
85:1,5 86:20
87:24 88:8,22
91:2,6,20
92:8,17 93:3,
15,22 94:2,4,
14 95:4 96:12
98:7,8 100:17
101:14,15
102:6,7
104:2,18
105:10,18,21
106:1,5,10,
11,24 108:24
109:7,11,12
110:12,13,17
111:5,14,15,
18 112:8
113:14,19
114:5,25
116:11,14,18
118:12,21,25
119:16,24
120:19 121:3,
4 122:5,16
123:11,13
124:1,5 125:5
126:6,14
127:21 128:2
129:2,19
130:9,17
131:11,23
133:4,5,7,11,
21 134:4,10,
19,21 135:1,
3,11,17,24
136:1,7,24
142:2,19
144:18

147:13,19
148:5,6 149:1
152:7,12,20
153:7 154:7,
23,24 156:11,
12,17,21
157:12
159:20,23
160:3,10,12
161:19,21
162:13,21
163:12,21
164:9,22
166:4,9,24
169:17 170:8
171:3 172:13
173:2,5,6,9
175:12,17
177:16 179:8
180:13
182:23
183:10
184:14 185:2,
5,21 188:11,
15,18 189:16,
20 190:25
191:7,15,22
192:3 194:11,
12,14,20
195:1,5,19
196:24
197:17,18
198:11
199:12,21
200:12,21
201:13,15
202:25 203:1,
3,6,12,16,19,
20,23 204:4
205:17,18
206:15 207:1,
9 208:20,21,
23 210:19,22,
24 214:1

216:15,18
217:2 218:9,
22 219:13
227:19
228:10 234:5,
24 235:12
236:11,13,19
238:1 239:5,
10 240:20
241:23
242:21
243:21
244:19
245:19 246:8,
23 247:19
249:6,21
250:7 252:5,
7,17 253:1,14
255:1 256:14,
17,22 257:5,
7,9,23 259:25
260:24
261:12,13
263:3,13,24
266:5,15
267:11
268:23 269:3
270:5,13
271:1,15,22
272:2,8 273:7
274:14,18
275:1,3,11,
19,20 277:10
278:6,12,16
283:6,23
284:12,18
287:7 288:4
289:6,7,15,23
290:1,15
291:6 292:5
293:6 294:19,
23 295:1,6,
13,15,18
296:13

298:16,20
299:15,23
300:9,11,12,
21 301:20,23
303:19
304:19
306:14
307:11 308:3,
8 310:22
313:6,11
314:6 316:6
317:22
318:24 319:1

force 19:7
188:5

forced 155:12

forcing
145:15

forecast
235:2,11

forecasted
61:1

forecasting
53:16 234:20
235:1,5,11,
15,17

forecasts
66:9

foregoing
23:6

foresee 192:1

forever
100:10

forewarned
79:24

forgot 177:19

form 25:2
32:24 33:11
34:5 110:24

149:23 150:6,
10

formal 60:2
141:12 142:7
201:5

formed 33:3

forms 27:17

forth 95:13
172:18
215:19

forthcoming
34:7

Fortson 38:10
315:12,21
316:3,7,12,17
317:13,17
318:23

fortunate
287:15

fortunately
87:21

forward 14:6
52:23 54:6
62:25 71:15
77:15 89:21
104:2 112:10
115:20
119:11
157:17 164:6
204:24
205:11,20,23
209:2 244:16
319:2

foster 73:17

fosters 72:16

found 132:3
161:23
210:15
249:21

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

foundation
183:13,19
184:14 186:6

founded 15:1

four 61:5
92:7,17,21
150:14 151:1
180:18
250:25
279:17

fourth 52:2
78:22 92:5,10

Fox 7:3

fraction 56:12

frame 13:14
121:20

framework
52:14 59:3,7
60:5 77:23
78:14 79:3
83:14 85:5,15
210:19

frameworks
16:12 52:10
56:3 192:13

Frank 6:22
50:15

frankly 20:8
70:23 73:5
88:10 159:22

frequency
55:17

frequent
251:18

from 4:21,23
5:4 7:2,20 8:7
13:5,15
14:17,18
15:20 16:13

20:7,9,21
21:14,17
22:25 23:11,
21 25:10 28:2
32:20 33:1,7,
8 34:25
35:10,12
37:11 38:1,2,
8 42:23 43:13
44:13 45:14
47:15 49:11
55:15 58:20
60:9,16,25
64:15,17
67:24 69:16,
18 70:20
71:23 75:21
78:11 82:6,20
83:13 84:21
88:23 96:9
97:3,15,23
100:6 102:13
104:9,10
106:5,11
107:20,21
108:16
109:24 111:2,
5,12 117:6
119:5,6,7
120:3 121:9
123:8,21
130:1 133:11
141:21 144:5
145:10,11
150:1 157:3
159:9,13
161:16
164:22
165:13,17
166:20 168:5
169:16
173:15
189:19 190:1,
16 192:8

199:20
207:23
208:21
210:15
211:11
213:15
214:18,19
215:10,22
219:6 221:5
223:10
224:13 225:6
232:12,13
233:16 242:4,
12 253:5,11
254:11
256:15,17,18
257:1 263:17
270:10 281:7,
8 288:15
296:24 297:2,
18 298:4,21
301:2 302:17
309:14
310:12 312:8

front 88:22
93:1 96:5
114:14
139:18
162:12 163:8
168:16
272:24

fruition
148:22
224:22
256:25

fuel 21:13
108:13
109:16
237:24 249:7,
9 250:6,24
251:6 295:1,
5,15 296:22
297:20,22

300:9,14,17,
18,19,21
301:13,15,21,
22 308:1,10,
17

fulfill 154:15,
18 199:22

fulfilled
152:18

fulfilling
153:4

full 6:6 25:24
97:19 105:21
155:5,8
186:23

full-time
94:17

fully 132:11
224:24 254:8

function
237:20 244:3
247:11

functional
190:20

functions
182:10,15
183:16
188:12,16,17,
19

fund 97:19

fundamental
141:16
147:23

fundamentally
69:22 145:22,
24 147:22
156:9 157:10
190:19 191:4

funding
117:16

further 12:6
17:20 24:25
28:18 54:21
108:12
142:18
145:18
164:20 171:7
177:20 178:9
187:17,18
188:1 189:18,
19 191:19
195:21 204:2
280:7 300:25
309:17 312:1

Furthermore
227:10

fusion 101:3

future 13:19
29:2 31:10
36:19 37:3
47:19,22,23
53:3 73:14,18
75:6 97:10
103:2 110:23
116:14
153:25
154:17
191:13 192:2
239:17 308:7

G

G-U-N-N
127:23

gain 94:18,23
223:10
252:15

gained 40:21
45:17

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

gallons 98:3

game 116:23

gas 27:9
302:5

gave 174:9
269:14

Gen 195:15

general 12:3
17:3 24:13
27:6,8,19
29:2 42:11
46:16,19
50:25 68:17
73:7 124:8
144:23,25
151:22 167:8
225:22,24,25
239:22
241:15,22
251:15
252:16 267:1
275:20 308:2

generally
23:18 40:9,16
57:10 66:18
67:7 104:25
184:25 185:8
199:9 221:25
222:11
244:14
250:13 259:6,
8 277:2 294:9
295:8

generate
247:20
285:22
298:15,20
299:3

generated
111:5 310:8

generating
94:23 296:23

generation
13:6 54:17
68:4 84:2
86:5 93:4,14,
20 95:21 96:4
100:13
105:13,16,17
106:3,5
110:7,8,10,
13,15,17
113:7 119:1
199:12 222:1,
11 223:18
224:7,10,17
226:18
227:21,24
228:7,10
233:15
284:18
285:23 295:5
298:2 299:24

generators
295:11,13
298:22

genuinely
117:2

geographic
287:8

get 11:3 67:21
69:4 87:7
90:25 92:13
102:17
103:19
109:16 120:6,
17,18 121:24
123:18
132:23 133:2
140:21
155:16,20
159:9 160:18

177:5 185:18
191:2 198:14
211:14 212:8
221:17 223:6,
10,15 224:24
225:10
242:13
254:18
255:12,15
258:7 260:4
264:13 275:9
276:17
287:20 289:7
296:12
299:23
307:18

gets 112:10
164:25
255:16
258:23 302:1

getting 43:13
93:13 98:21
102:11 121:5
124:9 200:18
206:16
212:23 246:9
248:25 249:6

gigawatts
13:8 89:5,7
90:5 224:20
265:9,14

give 8:8 10:11
38:5 49:14
91:1,24
110:23
112:22,23
118:7 138:1
147:4 152:21
154:12
159:25 168:2
214:14
215:14,17

219:18
222:10
234:13
257:19
259:12 269:1,
17 300:10,17,
18,20

given 5:2
10:21 33:6
51:8 100:15
125:22 133:9
201:8 216:20
231:18 241:1
244:15
247:21
249:19
257:13 270:1
298:17
301:16
302:15

gives 40:7
69:12 100:16
153:24 224:9

giving 11:7
26:2 275:18
300:11,13

glad 283:3

glance 278:9

global 53:5
57:5 77:18
97:12 99:21
146:19

globe 64:4

go 11:11
38:20 43:14
48:22 63:6
86:17 88:13,
14 89:12
93:10 94:2
105:3 110:20
119:15

120:14 124:9
134:2 135:19
139:19
143:14,16,20
147:6 159:17,
19 160:24
162:13
163:22
167:15
170:20,25
183:16
188:18
190:23
192:23 196:6
201:17,21
215:12,15
229:4 230:1,
7,10 231:4
232:23 248:3
256:5,7 260:3
261:1,8
266:16,19,23
275:17,21
276:13
281:14
287:18
289:24,25
290:19
291:11
305:14
309:20 315:1
318:4

goal 100:24,
25 120:25
121:2 238:18
239:22 241:6
277:9

goals 16:18
42:21 53:11
61:10 78:18
83:20,24
154:6,14,19
218:21

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

271:21
275:11

God 127:11
171:18,19
179:14
196:13
206:20
291:17 303:3
306:4 307:21
312:17
315:16

goes 40:20
106:13,14
159:21 191:5
227:16
288:25 296:2

going 6:3
7:16 8:7
10:17 38:19
39:22 43:14
46:20,22
48:22 73:10
75:15,22
84:25 87:1,6,
7 90:16,21,22
91:19 93:2,6
94:2,4,8,25
95:6,20,22,23
96:23 100:9,
10,13,25
102:3,16
105:1,14,16
106:21 108:7,
14,15 109:2
110:7 111:1,
6,18 113:21
115:21
116:13,15,21,
23 117:8,22
118:20
120:13,16,18,
23,24 123:11,
23 125:5

126:9 129:17
130:12 131:1
148:22 149:6,
18 163:21
167:14 168:1
169:20 183:9
184:12 186:5,
13 190:6
194:23
204:19
209:15,19
210:10
212:10 214:2
215:13 218:1
219:10,17
220:3 221:17
223:17,19,20
224:25 225:8,
18,20 227:12
229:16
230:10 231:4,
8,14,20
232:25 233:1
235:18,20
236:3,15
239:16,20
243:18,19
248:19 249:8,
14 253:12,13,
20 257:13,17,
18,19 259:7,
15 266:9
269:19,23
271:3 276:18,
23 277:3
278:12,13
288:14 289:2,
7,19,23
290:9,10
296:21,22,24
298:6,11
299:8,17,18,
23 310:17,22
311:3,12,14

going-forward
152:23

gone 121:8
261:16

gong 284:8

good 6:21
7:1,7,14 9:20
11:21 25:25
26:7 37:12
38:24 50:17,
18,19 53:17
63:16 64:23
73:12,25 74:1
82:7,16 84:22
86:19 87:21
98:24 99:13
100:21
101:22 103:3
105:21
115:23
122:19
126:24
131:17 134:6,
14 137:19
144:2 145:8,9
152:12,21
153:3 173:18,
19 176:15,16
177:3,4
181:5,6 190:5
202:18,19
205:2 211:9
212:5 213:3
215:6 235:3,
5,14 250:18
259:19,23,24,
25 266:14
271:25 272:8
292:2,3
293:24
301:10,11
303:16,17
304:20 313:3,

4 316:3,4
318:24

goods 40:10

Goodyear
138:9 279:11

Google 6:20,
23 12:11 28:9
50:9,16 52:7,
8,10,17
53:18,24
55:5,10,18,25
56:5,7,16,19,
24 57:1 70:19
106:18
165:11 176:1
193:4 202:1
204:21
211:19 213:7
265:24
277:14 279:3
281:2,12
289:14
293:14 305:3
309:23
314:15 318:7

Google's
51:6,11,13
52:12 56:22
62:23

got 49:8 85:1
122:23
123:16
124:22
139:18 142:3
144:5,6
194:17
203:20
224:15
234:13 248:5
269:15
281:11

governed
148:10
150:13

governing
19:6 20:18

government
17:23 42:25
128:3 269:11

governmental
72:6

governor
42:10,14 44:6
46:19 267:1
270:20
271:12

governor's
85:7 263:4

grandfathered
80:11,14

grant 7:20
150:6

granted 4:25
8:18 15:16
27:20 129:2

grants 51:25

graph 116:4

grappling
70:22

gray 89:3
95:25

great 47:5
127:7 268:21
270:15
298:13

greater 37:4
62:4

greatly 40:4

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

green 153:19 199:9,16,17, 20,24 200:5 202:20,25 203:6,12,17, 23 205:19

Greenwald 7:2 63:20

grid 12:24 25:12 54:15, 16,21 55:15 56:4,10 77:11 115:18 116:10,22 118:8 191:23

grossly 48:19,24

ground 43:10 201:3 289:23

groundwork 52:13

group 47:9 58:7 72:7 73:4 92:19 140:6,19,24 141:9,10 168:13 194:8, 10 195:19 205:5 210:3 279:12 280:1

groups 73:5 276:22

grow 73:14

growing 228:9

grown 73:13

grows 97:20

growth 12:19, 25 13:17 23:1

51:9,21 52:8 53:25 59:13 66:19,23 70:14 72:13, 16 73:18 79:17 80:16 82:20,23 94:6,25 271:14 272:1

guarantee 46:7 100:13

guaranteed 100:19 101:4

guarantees 69:15

guess 45:6 140:23 145:2 182:20 212:16,18 222:16 233:8 239:13 247:6 289:14 298:25

guessing 126:10

guidance 103:23 120:1

guide 185:17

guiding 185:13

Gunn 15:14 17:22 19:22 20:23 21:19 22:5 24:1 126:9 127:3, 5,15,23 128:24,25 131:17 133:2 134:10 142:19 144:2

145:8 165:24 170:9 171:3, 10,11 173:21 199:8 208:24 210:7 278:6

Gunn's 207:23 208:21 265:6 278:13,14

guy 92:5,10 211:16

guys 92:1,3 124:18 211:13

H

H-A-N-S-E-N 26:6

H-I-A-T-T 175:3

H-U-L-L 313:8

Hahn 4:16 50:17 122:4,5 125:2 145:5,7 173:15,17 174:23 175:5 176:18 177:1 178:15 190:1, 3 191:17 199:4,5,7 201:19 211:6, 8 290:21 291:2

half 96:23

half-dependent 103:4

hamper 46:23 150:11

hand 127:9 171:16 183:20 206:18 226:18 228:5, 8 291:15 305:25 312:15 315:14

handle 119:15

handled 87:18

hanging 203:20

Hansen 5:13 25:25 26:1,5, 8 131:2 160:25 206:23,25 207:1,7 208:10,18 209:18 210:24 229:11 230:16,21 245:2 268:23 283:5,8 285:8 305:21 306:13 307:10 312:8, 12,21 313:2 314:4 315:3, 11,20 316:2 317:11,21 318:20

happen 109:3 147:13 215:18 216:7 232:25 235:18 242:1 243:15 263:22 265:6

278:7 289:13

happened 92:23 217:23 232:8 245:10 300:21

happening 47:6 297:13

happens 36:3 85:11 92:10 110:5 235:15 289:8,9

happy 73:21 101:11 120:22 157:15 184:11 280:16

hard 10:9 69:6 129:4 134:11 269:3

harm 100:21 111:9,13

harmed 34:23

harmonic 114:9,19 116:4 156:2

harmonics 114:20 115:5 116:7 156:22

Harvard 97:3

hate 201:6

having 22:21 84:5 86:5 113:3,4,5 115:5,19 127:16 134:11 149:10 150:6, 10 171:21

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

179:20 191:3
196:19
203:11
204:25 207:3
217:6 251:5
289:20
290:19,25
291:22
303:11 306:9
312:23
315:22

Hawthorne
296:13

head 221:6
244:24
245:14
246:15
249:10

healthy 88:17

hear 6:2 29:14
38:8 62:22
63:10 84:21
87:1,25 88:2
129:14,15
131:21
170:21
270:23

heard 64:15
86:2 91:7,12
94:7 102:12
103:24
109:24 110:1
119:5,6
122:11 144:7
277:24 297:6

hearing 4:7,
14,22 6:14
12:16 19:19
29:17 31:13
34:21 38:18
49:16 62:24
63:6 84:17

88:4 90:18
119:10 125:4
143:9 172:23
175:21 179:4
180:22 183:6
192:23 195:8,
24 197:25
198:8 201:21
208:15
261:16,19
302:21
305:14,19
312:6,11
315:1 317:18
318:16,18

heart 104:17

heat 230:2,15
231:10,15

heat-rate
301:19

heating
229:25

heavy 97:8

hedging
191:9

held 138:24

help 52:10
55:14 65:2
84:1 86:1,6
115:21
116:12,18
118:6,7
127:11
135:21
171:18,19
179:14
185:17
196:13
206:20
233:23 263:9
275:6 291:17

301:15 303:3
306:4 312:17
315:15

helpful
158:11

helping 17:17
53:10 117:17

helps 11:14
55:1 84:8
160:9

here 4:23 6:5
9:23,25 10:18
29:7 38:4
41:1 42:19
50:21 56:20
62:20 64:16
65:15 66:5
69:8,11 70:7
72:3 77:1
85:1 86:25
88:2,14,19
90:1,11 92:23
94:12 96:9
98:18 102:20
103:3,24
104:4 105:25
107:24 108:4
110:3 114:5
118:22
119:10
120:22 121:2
122:23 124:7
125:8,11
126:25
131:18 137:9
156:6 159:6
193:4 194:18
205:23
224:25 232:8
246:17 247:9
264:6 265:4
269:7 283:4

291:10 294:6
297:11

here's 110:5
214:13
215:12,16

**HEREINBEFO
RE** 127:16
171:21
179:20
196:19 207:3
291:22
303:11 306:9
312:23
315:22

hesitate 201:6

hey 106:18
112:1 113:19
117:24 160:8
245:6

Hiatt 5:10
9:24 174:21,
24 175:2,16
178:2,9,14
179:1

hiccups
135:21

Higgins 67:21
70:25 71:17

Higgins'
67:17

high 93:16
97:7 133:14,
19 135:8
136:9,19,22
142:23 143:5
147:5 153:2
192:7 241:13

high-growth
97:6

higher 94:23
159:15 223:4
248:17
252:18 260:3
309:8

highlight
15:10 24:15

highlighted
201:15

highly 22:1,
21,22 66:8
74:21 190:10
290:25

hire 263:7

historic 53:6
82:23 200:4

historical
199:21 247:5
294:8,18

historically
33:19 53:15
66:4

history 12:25
52:21 152:12,
22 153:3
250:4 276:5

hit 192:15,20

hits 300:7

hodgepodge
44:10

hold 184:13
232:9 253:24
317:13

holding 19:4
106:23 117:3
282:4

home 51:22
116:2 230:5

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

236:18

homeowner 234:4,7

honest 125:18 179:12

honestly 86:24 119:21 120:8 124:6 216:8

Honor 5:8,21 6:11 7:1,7 8:11,19 10:7, 15,24 63:8 64:14 71:13 76:15 125:18 127:5 128:19 129:2,8,12 130:8,15 132:25 165:4, 14 170:5 172:20 173:1 174:21 178:10 179:1, 18 180:14,17 183:10 187:3 193:8,23 194:17 195:25 196:3 202:6 211:4, 18 212:1 226:4 259:12 282:20 293:10,13,20 305:1 309:22 314:10,13,23 318:2,6

hop 136:13

hopefully 260:3

hospitals

191:15

Hosting 96:15,18 121:13

hot 235:10,12

hotter 236:16

hour 55:4 126:25 133:9, 12 247:20,21 248:9,12,16 298:16,17,23 299:3,4,9,12, 15 300:9,21 301:24 302:15

hourly 133:16

hours 55:13 133:9 284:13 295:14 298:2, 4,7,9 311:12

hours-use 30:25

house 6:6 92:1,11,16 115:8 229:20, 23 231:11,13, 21 232:1,9 233:5 236:16

houses 92:18, 20

housing 288:21

how 10:14 23:2 30:5 49:12 57:7 60:4 80:24 87:10,17 89:21 90:9,11 92:8 96:13,21 97:4 98:19

99:1 103:9 108:7 110:5 114:12 116:14 118:19 127:5 140:10 141:3 148:17 153:23 189:2 190:12 212:5, 6 213:2 218:19 223:1 225:20 237:14 238:20 241:3 247:10 251:2 255:4,5 257:24 259:18 265:17 276:23,24 296:4 300:6 302:2,7

however 21:16 23:21, 25 36:24 53:18 56:21 58:6 59:6,20 65:4 67:14 70:4 80:15 96:1 150:20 155:6 184:7, 19

huge 102:14

Hull 38:10 312:13,22 313:3,7,12 315:6

humid 235:10

hunky-dory 90:23

hurdle 124:1

HVAC 229:24 230:12 231:6, 15 232:12 233:3,14

hyper 264:25

hyper-scale 76:21 264:21

hypothetical 36:17 223:11 229:17 230:4 232:24 233:8, 14

I

I.T. 97:14

idea 88:11 91:18 94:3,24 103:3 106:13 119:11,21 241:15 254:18 268:3

ideally 239:19

ideas 219:5

identical 69:24 205:24

identified 20:1 59:6 96:10 98:2 198:4 203:15 261:1

identify 134:7,15,18 197:20

if 6:11 7:25 8:16 11:1,2, 14 21:7 24:19 28:22 34:25 35:15,18,22, 25 36:4 38:19

41:22,23 44:21 45:17, 19 46:15 49:25 59:13 60:3,15,25 61:23 65:5,19 68:2,12 84:1, 22 86:9 90:4 91:22 92:10, 16 93:20 97:13 101:20 105:16 106:2, 13,22 107:6, 24 108:4,9, 17,18 109:3, 21 110:5,10, 14,18 111:3 112:17 113:15,18,22 114:22 116:13,18,21 117:5 118:12, 13,16 120:12, 21 121:9,15, 25 123:16 124:22 125:9, 17,24 126:6 132:3,7 133:2 135:20 136:13,21 138:4,25 141:15,17,22 142:22 144:9 146:14 147:1, 2,3 151:24 152:12 153:8 154:7,12,15, 23 155:4,18 156:5 157:6 158:15 159:4, 17,21,23 160:1,3,5 161:23 162:8, 11 163:11

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

164:23 167:6,
12,20 169:2,
13 170:25
172:17
175:13
178:18,20
180:9 183:23
184:4,10
185:6,9,15,18
188:14 191:4,
21 194:23
196:4 197:11
200:24 208:2
212:18,23
215:23 216:2,
9 217:22
218:21 219:4,
17,18 220:16,
18 221:11,24
222:8,9
223:6,7,9,23
224:8,18,23
226:12 227:4
228:8,21,25
229:22
231:20
232:17
234:20 235:1,
8,14 238:6
241:16,25
242:10,11
246:20
248:21
249:22
250:13
252:14
253:10,19
255:7 256:15,
19 257:15
258:23
259:13
260:18 261:1
262:5,11
263:22

266:23
267:25
268:13,20
273:10,16
275:17
283:12,22
285:21
286:21,22
289:9,18
299:10,22
300:21 307:2
308:1,20
309:2,5,8,13
310:20 311:6,
11,16 313:21
316:25

ignore 68:11
102:5 253:15

ignores 46:1,
2 48:8 68:5

Illinois 248:5

image 203:25
205:14

imagine
114:22
223:13

imbalance
32:8 60:24

immaterial
24:23

immediately
42:14

immense
39:25

immensely
38:16

impact 39:8,
17 53:10
68:12 88:21
95:5,6 98:4

111:13 115:5
192:8 225:20
235:2 236:10,
13 276:24

impacted
54:1 276:23
277:3

impactful
87:10

impacting
13:3

impacts 21:4
25:3 26:25
27:2 68:7
88:18 97:23
115:7 116:10
188:3 190:13

impair 25:18

impediment
160:16

impermissibly
34:22

implemented
15:18 17:17
20:14 60:4
151:11

implements
61:21

implied 114:5

importance
43:1 45:13

important
28:3,4 38:16
39:5 41:17
49:2 51:10
53:21 54:9
64:11 86:3
87:1,2 95:13
104:24 108:8

150:21
205:10,12
217:8 218:18
219:23
220:11 276:6
288:5

Importantly
25:1 27:22
69:19

impose 66:17

impossible
146:2

impractical
25:17

improve
34:25 35:25
54:19

improvements
13:22

improving
52:5

in 4:2,7 6:4,14
8:2,4,9,23
10:4 11:13,21
12:5,16,19,
20,25 14:9,
20,21,24
15:4,12,14,20
17:8,16
18:18,22
19:3,5,16,17
20:4,12,13,
17,24 21:10,
20,22 22:6
23:10,14,16
24:2,13,20
25:2,6,17,20,
24 26:13,14,
20,21,22
27:9,12 28:4,
6,13,14,16

29:1,9,11,13,
15 30:2,4,6
31:10,15,16,
24,25 32:1,
10,23,25
33:2,5,10,15
34:3,7,13,15,
20,21 36:8,12
37:4,13,20
39:2,11,15,20
40:5,9,14
41:12,19
42:1,3,11,15,
18,20,21 43:6
44:13,18,20,
21 45:8,21
46:2,7,13,17,
19,21 47:4,6,
10,13 48:4,
14,23 49:1,4,
5,8,10,13,15,
18,20,23
50:16 51:2,23
52:3,8,12
53:2,6 54:20
55:5,17,18,25
56:6,14,18,
24,25 57:1,2,
4 58:2,4,10,
13,17 59:5,7,
19 60:12
61:13,17,20
62:3,21,24
63:3,19,21
64:5,17,22,24
65:1,7,23
66:10,21,23
67:1,3,6,20,
22 68:16
69:2,7,10,14,
24,25 70:5,
12,14,21,25
71:1,6,7,18
72:9,13

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

73:12,14,18
74:6,7,8,14
76:24 77:1,3,
4,8,10 78:3
80:6,7 81:2,6,
12,14 82:19,
23 83:2,20
84:9,14 85:3,
4,7,10,20,21
87:3,6,7,14,
25 88:6,12,
16,22,24
89:1,9,17
90:5,25 92:3,
19,20,22
93:1,7,14,17,
24 94:16
96:2,4,5,17,
19,24,25
97:2,7,12
98:7,9,11,19,
23,25 99:5,
10,12,17,23,
24,25 101:15,
18 102:7,12,
14 103:1,2,
11,15 104:18
105:22 106:7,
9,19,20,21
107:1,5,9,11,
19,24 108:5,
10,13,18
109:3,7,15
110:10,11,13,
15,23,24
112:1,3,4,11,
15,16 113:6,7
114:3,5,14
116:2,5,14,
17,23 117:15,
18,20 118:4,
10,16,22
119:18 120:4,
7 121:18,19,

23,25 123:7,
14 124:15
125:6 126:25
127:5 128:5
130:12,17,18
131:19,23
132:11 133:9,
14,18,19,22
134:22,24
135:7,8,12,21
136:14 137:1,
20,25 138:8,
12,15,16,20
139:11,12,14,
18 140:1,5,12
142:10,13,15
144:9,10,21
145:11,14
146:3,10,13,
14,15,21,25
147:2,18,24
148:1,15,24,
25 149:11,13,
17,20 150:15,
22,24 151:6,
8,10,11,12,
17,19,20,22
152:2 153:9,
10 154:16
156:12,14,24
157:17,23
158:1,4,13
160:2,4,19
161:7 162:2,
5,6,9,12
163:8,16,23
164:10,17
165:3 166:6,
16 167:5,13,
22 168:7,11,
16,19 169:1,
5,16 170:24
172:9,18
173:20,24

174:7,11
175:6,17
178:3,7,12,21
179:11
183:18 184:7,
21,22 185:13,
16,19,20
186:24
187:13,22
188:2,5
190:10,13,15,
25 191:6,9,19
192:1,14
197:2,12
199:10
200:10,17,25
201:2,15
202:21,25
203:7,11,17,
18,24 204:13
205:7,13,18,
21,24 206:16
207:12,16
208:22 209:3,
10,11,23
210:1,21
212:12 213:8,
9,20,21,23
214:25 215:1,
3,7,8 216:2,
18 217:1,3,
17,24 218:8,
9,12,20
219:1,2,20
220:3,11,13,
14,18 221:25
222:1,4,11,
19,21,23,25
223:20,24
224:12,13
225:9,17,19,
20 226:19
227:6,18
228:17,25

229:8,23
230:4 231:5,
23 232:1,3,
16,18,21,25
233:2,8,13
234:15,24
235:9,12,24
237:10,17,19
239:4,17,19
240:1,12,13,
15,20 241:4,
25 243:13,18,
25 244:10
245:12,17,18,
20 247:1,13,
21,25 248:9,
11,12,16
249:7,22
250:1,2,6,13,
17,23,24,25
251:3,5
253:12
255:21 256:3,
14,17 257:9,
21 258:16,24
260:14,18,23
261:6,9,16
262:8,18,21
263:5,17,24
264:4 265:11,
18 266:6,7
267:6,13
268:2,9,22
269:7,8
270:10
271:17 272:6,
7,19,24
273:15,20
274:1 275:2,7
276:11,13,15,
19 277:2,15,
24,25 278:4
279:13 280:2,
3,24 281:5,

13,19,24
282:4,8,15,16
285:14,19
286:23 287:1
288:12,13,22,
25 289:4,16,
21,23 290:10,
13,14,22
292:8 294:1,
4,11,19
295:12 296:6,
12 297:20,22
298:11,17,23
299:3,8,12
300:9,20
301:14,17,24
302:2,15
306:17,21
308:4,15
309:9 310:14,
21 311:6,7,21
313:9,13,19,
21,24 314:1
316:8,13,18,
23,25 317:1,
3,4,7

in-camera
31:13

in-house
263:16

inappropriate
48:3,5 209:13

**inappropriatel
y** 37:6 47:18

inaudible
10:6 38:21
121:22 125:9
128:22 136:3
202:12
268:25

Inc 4:8 182:7,
12 279:16

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

incase 107:15

incentive 221:25 222:9, 10,12,17,22 223:2,3,7,13, 24 224:19 225:1 252:5

incident 31:25

incidents 192:17

include 14:9 30:11 32:21 53:19 54:12, 25 55:9,19 58:8 59:16, 21,23 69:20 109:3 132:10 134:19 136:11 169:9 308:4

included 32:25 33:6 69:24 81:19 108:5,18 118:10 133:18 135:7 157:23 158:5 168:22 279:13 297:19,21 310:14

includes 13:8 16:7,10,14 22:10 34:5 47:8 50:24 61:16 78:9 79:3 104:1 108:11,15 174:15 188:10 242:14

270:21 280:19

including 11:25 12:22 13:12,19 16:6 39:23 47:10 57:12,13,15, 17,23 64:18 65:23 69:12 135:4 217:18 276:7 298:25 299:1

inclusion 8:12 125:22 308:22

inclusive 135:4

income 101:4

inconsistent 23:2

incorporate 21:12

incorporated 147:21 175:9

incorporating 16:4

incorrect 167:4

increase 21:19 22:14 40:9 82:23 91:23 92:25 93:7 105:9 108:20 115:8 187:21,22 222:25 231:21 250:13,20 252:13 309:5 310:21 311:1,

3,10,16,17, 18,21

increased 17:7 40:4 51:8 52:18 222:2,13

increases 28:16 35:20 93:22 249:22 251:7,18 253:12,15

increasing 93:9

incredible 77:13

incredibly 148:4

incremental 13:20 16:2 17:14 20:17 83:7 133:24 137:5 254:11, 24 255:9 256:2 257:11 265:10

increments 16:22 134:24

incur 233:17 249:16 297:18 308:25 309:5

incurred 14:15 35:9 37:25 83:9 104:7 308:11

incurring 251:10 255:11

incurs 256:4

index 81:9

Indiana 57:2,4 61:19,20

indicate 267:9

indicated 12:14 48:17 217:17 219:20 232:24

indicating 169:14

indiscernible 6:10 9:7 30:12 37:13 45:15 47:7 85:23 96:22 101:3 104:11 110:20 117:21 134:25 167:2 238:1 249:13 252:2,18,23 253:7,8,15 258:20 265:20 296:14

individual 38:14 60:22 66:3 136:19, 22 140:19 234:7

individual-bilateral 191:25

individualized 22:2

individuals 141:21

induce 228:6

inducing 226:17 228:10

industrial 13:1 15:2 58:12 65:1 77:21 89:6 276:18 279:7, 12 286:10 288:2 290:8

industries 32:4 105:11 138:7 270:10 290:9

industry 19:2 20:2 24:2 31:6 44:24 53:5 59:9 61:14 63:1 64:1 99:24 100:4 102:10, 21 106:21 182:1,25 184:5 207:15 222:20 244:1 270:6 271:13, 19,23 272:1, 7,16

inertia 55:15

inferred 297:3

inflation 93:18

influx 14:20

inform 58:25 119:19

informal 139:4

information 11:12 31:11 64:24 102:15

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

107:24
114:13
115:20
121:16 148:5
156:9,16
160:18 162:1
163:1,4,5,6,
11 166:8
174:14 182:1
185:18,19
194:16
225:10,14,15
273:15
283:16 291:1
313:22 314:1
317:2,7

informed
51:14 52:11
214:17,19,22
215:10

infrastructure
13:21 51:15,
16 52:15
53:3,22
54:17,18 64:3
77:11 79:10
97:8 99:10,16
135:5 191:15
222:11,25
266:15

inherent
222:19 287:6

inherently
33:6 233:18
243:1

initial 16:20
17:8 112:15
183:2

initially
147:16
159:12
205:20

initiate 139:23

initiated
139:25
187:13
209:22

initiative 56:2,
7

initiatives
52:1 55:6,19

inject 213:22

innovative
52:2

input 20:7
29:24 37:17
213:4,6,15,19
214:14,17,19
215:10,14,23
238:11 244:8,
22 245:16
263:5,17,19
294:21

inputs 215:17
295:2,8,21
296:19
300:14

inscient 48:16

inspection
27:15

installing
56:12

instance 28:8

instances
256:9

instead 20:16
22:10 46:22
71:11 143:20
175:7

Institute's

56:2

instructions
189:3

instrumental
205:7 215:3
216:2

insulates
83:13

insulted
248:6

insurance
272:14

**insurmountab
le** 124:1

intangible
287:24,25

integrated
98:22 190:23
203:14

intelligence
51:9 96:22

intended 44:7
238:25 239:4

intends 28:18

intense 97:7

intensive 98:3

interact 205:7

interacting
219:22
220:10

interaction
36:15,16
184:20

interactions
205:6

**interconnecti
on** 116:18
157:4 183:1
185:25

**interdepende
nt** 79:19

interest 16:23
49:23 72:6
73:5,6 85:10
106:19
160:13
265:17
274:11,12,14,
16 275:13,14,
16,24 277:11
290:15

interested
265:10

interesting
81:1

interests
14:21 77:24
79:21 83:3
275:23 277:6

interfere
36:20

interim 57:22

internally
236:16

interpose
209:7

interpretation
45:22 104:13

interrupt
134:9 270:25

interval 256:2

interveners
119:6 120:15
140:6 168:13

210:3

intervening
283:19

intervention
49:4,20

into 6:5 15:16
27:24 28:11
29:24 43:14
47:18 48:22
66:5 67:21
69:4,7 75:7
81:21 86:18
91:9 92:11
100:2 103:8
104:19 109:9
110:20 111:6
116:1 120:2
147:7,21
150:4 152:14
159:6 175:9
208:11
212:24
213:22
224:24 229:5
236:2 237:25
238:7,11
242:24
245:16 246:9
248:11
253:13
254:12
255:10
264:21,22
268:4 270:13
274:6,21
276:17
277:18,25
288:11,18,20,
23 290:6
294:21 295:2,
21 296:2,19
298:2

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

intricacies 18:14

introduce 9:19

intrusting 114:18

invented 19:4

invest 64:22 221:25 222:4, 11,24 223:20, 24

invested 99:10

investing 51:23 56:6 255:21

investment 40:2,3,8 45:8 51:14 52:15, 25 53:15 76:23 79:13 97:19 99:13, 15 102:13,17 118:3,21 135:6 222:18 223:21 224:12

investments 40:10 52:17 54:18 79:10 87:5 95:19 100:17 219:11,25 220:13

investor-owned 26:22 267:5

investors 97:4

invited 141:6, 7,10,25 210:5,14,17, 22

invoked 21:1

involve 31:11 103:14

involved 55:18 87:6 102:22 103:19 119:18 146:12 187:19 218:24 241:14 276:11,15,22

involves 11:23

iron 46:6

IRP 154:2

irreconcilable 145:21

irregularities 157:2

isolating 22:25

issue 28:19 34:2 47:14 49:22 67:23 68:19 80:7 82:21 88:9 96:5 115:10, 18,19 117:3, 22 120:5,8,9 156:22 162:15 226:16 245:7, 8

issued 98:8 189:7

issues 7:17 18:17 19:9,10 24:4 39:5,7, 15 51:4 64:12 70:22 81:12 83:2 95:12 101:21 115:15,16 117:1 130:19 158:3 162:17, 20 200:2

it 8:4,5,14 9:14 10:11,19 11:14,20 12:14,15 13:19 15:18, 21 16:10,14, 15 20:25 21:10 25:5, 12,13,18 26:7,14 27:25 28:3,5 30:11 33:10 37:21 38:24 40:3,4, 5,24 42:9 43:19 44:6, 10,19 45:1, 20,24 46:1,2, 3,22,23,24 48:4,8,24 49:20 51:10 52:23 53:21 54:15 58:6,22 59:23 60:4,8, 12 61:13 63:17 64:2 65:7 66:8 67:24 69:11, 12,22 73:6,10 75:9,13 76:17 77:10 80:13

82:1,18 84:22,25 85:5,9 86:2 87:18 88:11, 13,15 89:22 90:9 92:21 95:1 99:2 101:5 103:1, 6,24 104:11, 19 105:2,18 106:8,19 107:8 108:23 110:13,14 111:1,7,12, 17,20 112:2, 9,17,21,22,24 113:8,13 115:14 116:7, 14 117:6,10, 11,12 118:7, 12,17 119:22 121:16,23,25 122:19,22 123:2,6,7,10, 13,17,18 124:3,16,20 125:9,14,16, 23 129:18 130:21 131:8 135:14 136:4 137:7 138:25 139:10,17 140:23 141:18 142:17,24,25 143:10 144:11,18 146:3,6,14, 15,17,21,22 147:1,2,3,5, 19 151:2,7, 23,24 152:8, 21,23 153:6, 11,12,13,22,

24 155:6,24 156:12,14 157:7,12,13 158:9 159:13, 14,18,21 160:7,16 161:21 162:9, 12,14,15 163:7,12 164:9,14 166:18,19,24, 25 167:13,15, 20,21 168:2, 24 169:6 174:9,12,13, 14 175:10,18 177:5,11,16 182:22 183:11,23,24 184:4,7,14,25 185:7,18,19 186:10,16,18 187:5,9,12, 17,18 188:2, 14,15 189:2, 6,13 190:10, 24 191:2 194:11,20 195:3,5,7,8 197:25 198:9 206:1 207:24, 25 208:12,15 209:22 210:12 211:16 212:19 213:9, 14,21,23 214:15,16,18 215:14,18,25 216:19 219:4, 8 220:17,21 221:2,10,17 222:3,15 224:3,6

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

225:24
226:11
227:15 228:3,
14,17,22,23
229:1,2,4,18
230:13 231:8,
16,22 232:4,
9,10,13
233:11
234:14,17,21,
22,23 236:7,8
238:2,25
239:5,10
241:20 242:3,
8,10,19
243:4,12,16,
23 244:20
249:9,24
250:11,12
251:21,22,24,
25 252:9,11,
19,20,24
253:7,19
254:8,9,15
255:2,4,14,15
256:20
257:15,22
258:4 262:6,
13 265:19
266:5,22
267:4,13
268:10 269:3,
25 271:1
272:13
273:13,16
275:8 277:5
278:9,10,11,
20,21 279:9,
11,16 280:17
281:2 282:10,
11 284:8,21
286:6,11,13,
16 287:6,16
288:10,20

289:24 290:2,
21,23 293:5
294:12,16,17,
19,25 295:1,
2,10,13
297:9,16
299:2,9,13,14
300:3,4,13,22
301:22 302:9
304:17 308:4
309:12,13
310:22,25
311:4,5,11
317:10

It'll 107:9
278:15

it's 26:5 35:24
40:17 43:6,9,
23 44:17,20
45:23 46:22
47:22 48:3,5,
7,8,13,19
49:16 73:13
74:8,22 87:1
88:10 89:1,4
90:16 91:21
93:8,13 94:4,
8 96:7,8
99:25 103:1
105:24 107:2
108:8,20
110:4 111:12,
17 112:24
113:1,4,14,19
114:2,3,4,14
116:5 117:8
119:21 120:8
122:23 123:5
128:2 129:21
133:23,24
144:17,20
145:21,25
147:14 148:8,

10 149:6
150:21 151:1
152:3 154:6,
22 155:1
156:10,11,21
157:16
159:16,20
160:8,12,14
162:6,11,15,
16,19,20,22
166:19
175:13 177:4
178:20 180:2
181:8 185:1,5
189:11
190:21 198:3
209:12
212:20
213:13
214:12,25
216:17,25
219:2 220:3,
18 224:11
225:13
226:19 228:4
231:20
232:17,19
234:24
236:10 238:2
239:8 243:1,
7,8,12,15
245:15 246:3
247:4 248:7
250:14 251:2
255:17 256:6
259:4,6,8
261:13
267:10,14
269:7 270:8,
12 271:25
275:14 276:5
277:13 280:5
281:7 285:10
286:23 288:9,

14,19 289:14,
23 291:3
294:15 296:8
299:23

item 151:25
190:8 195:15,
18 246:25

items 149:19
158:5 190:6
194:25

its 11:24 12:1
13:5 18:15,
22,23 20:2,4,
6 21:10 22:6
25:23 28:13,
14 29:13,17
34:21 41:2
43:23 45:12
49:15,17
52:22 55:21
60:25 65:3
66:20 70:7
71:2,7,15
77:4 81:12
113:5,7
119:25
125:21
131:23
144:11 169:6
182:5 183:6
213:4 218:7
220:21
233:16
234:22,24
239:1 241:19
243:7 246:8
254:23
258:24 259:1,
9 263:15
283:10
294:12,21
298:21
299:17,23

itself 48:17
111:25 112:2
205:20
215:22

J

**J-A-C-Q-U-E-
L-I-N-E** 11:11

J-I-M 50:6

J-O-H-N 86:22

J-O-R-D-A-N
313:7

Jackie 5:9
9:21 11:6,11
136:1

Jacqueline
11:10

James 176:22
177:15
198:15 207:2,
10 208:12,15

January
138:20

Jarod 6:22
50:15

Jason 18:2,5
22:4 166:4,9
171:14,20
172:3 290:20

Jay 38:12
285:25 286:1

Jeff 18:4
29:22 65:7
118:15
121:15
171:15 172:8,
12,21

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

jeopardize
174:11

Jevons 6:22
50:15

Jim 5:9,21
9:24 38:9,25
44:25 50:6
96:21 193:1
201:24
206:12 212:1
260:25 285:4

job 37:4 94:6,
25 96:13,25
97:2 100:19
168:15 235:5,
14

jobs 13:20
40:6 64:23
77:13 91:13
94:9,11,17
96:17

John 5:18
86:20 96:9,13
126:16
162:15

Johnson 5:22
39:1 96:14

join 6:14 92:6
116:22

joined 100:3

joining 4:18

joint 7:17

jointly-filed
19:10

Jordan 38:10
312:13,22
313:7,12

Journal 96:12
98:25 99:6

judge 4:3,13
5:11,16,19,24
6:9,16,19,24
7:5,9,21 8:6,
17,22,25 9:9,
16,18 10:6,
16,20 11:4,8
26:3 38:17,22
50:3,8,12,17
63:5,11
71:22,24 72:3
73:22,24
76:9,13 82:5,
9,12,17
84:16,20
86:11,14
121:7,12
122:3 125:3,
15,25 126:4,
8,11,18,22,24
127:2,6,8,13
128:22 129:5,
9,13,16,23
130:2,5,11,
20,23,24
131:5,9,11
135:25 136:3
142:21 143:1,
6,9,13,19,22
144:19 145:4
158:19
160:21,23
161:1,2
164:21 165:5,
7,10,15,19
168:1 169:25
170:14,17
171:9,13
172:22 173:3,
10,11,14
174:25 175:4,
16 176:1,3,6,
9,12 177:20,
21,24 178:23

179:2,10,16
180:15,20,25
181:2 182:19
183:4,19,22
184:12 186:3,
7,15,20 187:6
189:17,20,22,
25 192:22
193:3,6,10,
13,16,18,21
194:22 195:4,
22 196:1,6,
11,15,17
197:16,19,23
198:6,20,23,
24 199:2,5
201:20,25
202:1,3,7,10,
13,15 204:5,
8,10 206:5,7,
11,13,17,22
208:13 209:6,
8,16 211:1,5,
10,12,15,19,
21,24 217:16
218:1 219:15
224:2,4 226:5
229:13
230:17,18,25
258:11,13
259:15,18
268:25
270:16,17,24
271:6 282:22
283:3 285:1
290:18 291:4,
9,11,14,19
293:2,7,11,
14,16,18
300:25 301:1,
3,4,6 302:18,
19,24 303:1,
5,7,8 304:15,
20,23 305:3,

5,6,8,11,13,
16,17,24
306:2,6
307:12
309:19,23,25
310:2 312:2,
5,9,14,19,21
314:4,7,11,
15,17,19,22,
25 315:3,4,8,
11,13,18,20
317:11,15,21,
23 318:3,7,9,
11,14,16,20,
21

Judge's
170:12

July 98:19
188:6 212:13
213:9 215:8

jurisdiction
174:7,16
177:12
219:24
220:11,13

jurisdictions
23:2 56:25
70:1,21 84:6
219:1

just 9:6,19
10:11 11:2
34:1 39:12
40:24 45:15
48:11 53:1
54:7 68:14
74:6 86:8
87:7,10,16
88:17 89:21
90:20,25
91:14 92:14
94:3,17
95:14,21

96:4,7,8
98:22 99:6
100:8 101:7,
8,25 102:5,24
103:1 104:15
105:5 106:12,
19 107:2,9,
14,21 108:21
109:9,11,21
110:3,20
111:11
112:23,25
113:20
114:10,14
115:13 116:1,
3,11 117:11
119:14 120:8
124:2,15
129:3,17,25
130:3,6,7
132:21 136:1,
4 142:3
145:22 147:3,
22 153:6
156:20
158:21
159:16,20
160:6,8,25
161:4 162:12,
22 163:21
167:15,24
170:11 174:9
175:19
176:20 177:3
178:11,22
181:17
188:24
193:23 194:6
203:14
205:14,24
212:8 214:9
220:4 221:21
224:14 229:7
230:23 238:2

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

239:14 240:2,
14 242:11
253:19 254:6
255:5 259:12
260:6 261:25
265:1,17
266:7,16,19
267:18
268:21 271:3
274:9 275:8
276:11 277:9
278:12,17
283:5 284:6
288:8,22
290:3,18
291:6 296:10
301:12
302:16
307:24
308:20 310:4,
24 311:19,20

just-right
36:17

justification
59:2

justify 102:16
105:12 118:8,
21

justifying
251:7,18

K

K-E-V-I-N
127:23

K-L-A-U-S
131:14

K-L-I-N-D-T
172:3

Kansas 12:22
47:8,11 57:2,

4 58:4,11,13,
14 69:3,7,10
76:21 77:7,10
81:16,18 84:5
96:19 121:18
132:10
137:20 138:5,
8,11 151:6,
12,17,25
152:1 153:10
166:12
200:10 201:1
210:20 266:8
278:1,4,7
279:12 280:2,
8,11,18
281:13,14,19
282:4,16
287:2,7,13,
17,21

Karolin 4:12

Kayla 4:16

KC 213:8

KCC 47:10
58:8 166:16,
19 167:1,2
278:2,19
281:18

KDS1 278:14

keep 27:14
30:2 34:20
109:21
151:20
268:14 270:9
289:20
307:14

Kehoe 44:6
267:2 270:20
271:12

Kehoe's
46:20

Kevin 17:22
24:1 71:17
127:5,15,23
128:24,25

key 15:10
18:9 52:10
240:18

Keyes 7:3

kilowatt 55:3
133:9 284:13

kind 10:11
73:10 79:24
88:15 90:14,
16,24 104:21
114:2 116:3
124:25 146:3,
13 147:4
153:23 158:5
159:11 160:8
165:2 185:4
190:15 205:1
234:23
301:12
302:11

kinds 93:19
280:21

Klaus 5:14
26:12 131:11,
12,14,16
132:25 133:1
135:10 136:5
140:23 141:2
142:18,21
143:1,12
145:11
182:23
198:22
202:15,17

Klindt 18:2,5
22:4 166:5
171:14,20

172:3 173:9
176:15 178:3,
15,20 179:4
290:20

knickknacks
92:13

know 8:13
34:6 72:18
75:10 76:20
77:17 80:15
86:20 87:13
89:20 91:19
93:13 114:11
116:21 117:3
118:24 119:3
124:2,4,18
132:13 138:1,
6,25 151:6
152:24 153:3
162:17,19
163:20
164:18 167:6
175:7,12
176:20
181:11
188:14,24
191:18 200:2
211:13
212:13 213:1,
2 214:3,6,11
217:4 218:14,
16 219:2
225:2,12,13
227:13 229:6
231:5,19
232:17,18,20
233:21,24
235:7,9,12
236:1 237:9
238:4,6
244:13,22
246:1,11,13,
20,21 247:3,

8,15 249:10
250:4,5
251:12
253:18 255:6
263:22 264:1,
2 265:3
266:10,11,14
267:17 269:1,
3 273:14,16
275:9 276:17
282:6,18
283:23 286:6,
17 287:11,12,
15,17,21,23
288:1,8,9,16
22,24 289:2,
3,9,13 290:10
294:15
295:17 296:4,
12,21,22
297:9,10
299:4 301:17

knowing
52:18

knowledge
22:18 128:17
189:10
192:12
197:14 208:7
213:13,17,18
245:13 263:6
292:19 304:8
307:7 314:2
317:8

known 71:20
245:23

knows 289:2

Kolkmeyer
4:17 50:18
73:24 74:2,3,
5,9,13,16,19,
23 75:3,5,8,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

14,17,22
76:1,5,8,10
79:22,23
80:1,5,19,22,
24 81:20,25
82:4 89:13,
16,19,23,25
98:2 121:11,
12,17,21
122:2

Kolkmeyer's
114:11

L

L-A-N-G-E
292:7

L-O-W-E-R-Y
50:7

L-U-T-Z
196:25

labeled
292:14

labor 160:11

Labs 115:4

lack 32:17
34:10 95:4
149:20

Lafayette
81:21

lag 20:21,25
36:25 48:1,
10,14,20,25
109:25 110:1,
4 151:5,13
251:10,13,16,
20 252:4,7,9,
13,18,24
253:2,9
254:10

255:11,13
256:4,10,16
257:17,18,20

laid 183:19
184:14

land 13:10

landed 70:5

landlord 92:2,
15

Lange 38:9
67:19 216:1,
6,8 218:13
221:4 255:3
257:23
262:12
280:15
291:10,12,14,
21 292:2,6,8,
12 293:1,6,23
300:24
301:10
302:16,21

Lange's 67:22
212:17,20
244:10 273:8

language
46:1

large 4:11
11:24 13:12,
25 14:20
15:2,4 17:1,6,
11,13,17
18:7,21,24
19:1 20:3
23:3 25:4,8
29:16 30:8
31:2 33:5,15
34:3,4,24
35:24 37:3,7,
20 39:14,23
41:19 42:15

43:12,25
44:15,17 45:6
46:4,7 47:11,
16,21 48:21
49:13,21
50:23 52:24
54:7,20 56:24
57:8,20
58:23,25
59:4,10 60:8,
11,14,24
61:8,19,24
62:5,18 63:1
64:17 65:10,
16,19 66:7,9,
17 67:8,11,24
68:4,12
69:12,16
70:13,22,24
71:5 77:21
78:2,14,19
82:20 83:6,9,
14,18,19
85:16 90:13
104:16 110:6,
15,18 111:10,
18,20 112:8
121:4 124:5
147:25
148:11 151:3
155:7 157:20
177:7 180:3
183:1 185:21,
24 187:14,20,
21,22 188:4,
5,7 191:21
192:2,8 201:9
204:19 205:5,
6,8 213:7,11,
16,19 214:18,
24 215:10
217:1 218:8
219:6,11
220:21 224:8

227:20 228:8
233:17 243:1
253:11,14
254:11,24
255:9 256:2
257:11
258:23 259:9
260:12,13,17
261:6,16,19,
23 262:2
263:12,24
265:1,8,25
267:7,12,16,
18,25 268:2,
20 270:22
271:17
272:21 274:4,
23 275:2
276:18 277:1
278:3 279:7
282:3,15
286:9 288:1,2
308:23,24
309:1,10
310:13,16

largely 201:8

larger 26:20
55:2 65:3
89:11

largest 268:7

last 11:11
34:19 38:20
50:14 63:14
70:11 98:16
99:6,7 100:14
102:16
105:14
117:13
119:23
128:14
131:13
135:20

136:14
164:19 167:3
170:22 175:3
194:11 217:3
218:10
227:18
250:11,18
258:17
266:25 288:4
299:11 313:7
314:5 317:14

lastly 288:4

lasts 105:17

late 8:15
125:7 212:13
215:8 288:17,
22,23

late-filed 7:19
8:7

lately 225:13

later 7:23 8:23
12:5 17:21
95:8 121:25
178:7,18
186:9

latest 194:4,5

law 4:3,13
5:11,16,19,24
6:9,16,19,23,
24 7:2,5,9
8:6,17,22,25
9:9,16,18,21
10:6,16,20
11:4,8 26:3
28:18 38:17,
22 39:9 49:12
50:3,8 63:5,
11 71:22
73:22 76:9,13
82:5,9,12
84:16,20

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

86:11,14
97:21 118:10
121:7 122:3
125:3,15,25
126:8,22,24
127:2,6,8,13
128:22 129:5,
9,13,16,23
130:2,5,11,
20,24 131:5,9
136:3 142:21
143:6,9,13,
19,22 144:19
145:4 158:19
160:23 161:2
164:21 165:5,
7,10,15,19
168:1 169:25
170:14,17
171:9,13
172:22 173:3,
11,14 174:25
175:4,16
176:1,3,6,9
177:21,24
178:23 179:2,
10,16 180:15,
20,25 183:4,
22 184:12
186:7,15
187:6 189:17,
22,25 192:22
193:3,6,10,
13,18,21
194:22 195:4,
22 196:1,6,
11,15 197:19,
23 198:6,20,
24 199:2,5
201:20 202:1,
3,7,10,13
204:5,8
206:7,11,17,
22 208:13

209:16 211:1,
5,12,15,19,
21,24 218:1
219:15 224:4
226:5 229:13
230:25
258:11
259:15,18
268:25
270:24 271:6
282:22 283:3
285:1 291:4,
9,14,19
293:7,11,14,
16,18 301:1,4
302:19 303:1,
5,8 304:20,23
305:3,6,8,11,
13,17,24
306:2,6
307:12
309:19,23,25
310:2 312:2,
5,9,14,19
314:7,11,15,
17,19,22,25
315:4,8,13,18
317:15,23
318:3,7,9,11,
14,16,21

lawyers 142:9

lay 183:12

lays 48:24
52:13 164:10

lead 31:9

leadership
50:22

leading 55:5
64:2 170:6,18
284:25

leans 31:4

learning
219:23
220:10

least 49:11
105:19
125:22 164:5
239:19
249:17
255:17 280:1

leave 70:16
106:14 129:2

leaves 107:7

leaving
178:22

left 4:15 89:8,
11 96:2
106:23
231:16

legacy 103:6
200:4

legal 144:18

legally 112:25

legislation
271:12

legislative
42:4 103:23
120:1 266:25

legislator
85:7 267:25
269:4

legislature
267:23
268:14,18,20

lengthy 77:19

less 31:1
222:2,14
228:6,7
230:14 231:9,

14,20 233:1
248:24
251:22
252:19,20

let 8:22 63:24
91:1,24
103:19
104:15
168:15
181:11
188:24 212:7
219:4 221:17
225:1 226:23
227:1 242:8,
10 246:17
247:17
253:22 254:6
264:13
282:13
296:10
297:12
299:21

let's 5:6 9:3
36:11 88:14
94:6 108:11
119:11,15
163:18
170:24
179:11
197:19
223:13
229:15 230:8
231:2 232:3
233:10
243:24
248:22 255:7,
10 256:1
257:11 259:6
260:3 276:13
278:11
281:18,22
290:12 318:4

letters 13:10

level 33:22
67:9 84:6
147:5 185:2
233:11 235:3
243:9 249:22
251:12
256:15 260:3
288:2

levels 22:12
52:20 53:19
148:17 243:8

leverage
66:18

leveraged
54:5

liability 21:15
254:15,19
257:13

liberty 4:21,
23 12:14 80:2
119:15 193:3

Liberty's
213:22

lieu 88:12

life 99:12
115:9

lights 114:22

like 4:19 5:4
8:9,12,14
10:14 36:21
37:13 38:20
47:12 52:16
54:10 55:8
64:18 73:2,14
81:4,11 91:2
92:6 94:12
97:6 101:13
105:25
106:17 111:1

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

112:21
114:21 115:3,
25 116:4,8,25
117:3 121:8,
25 123:8,10,
12 124:11
125:9 126:4,6
130:25
133:21,23
135:12,14
137:1,7
142:22
143:15,16,18
146:3 153:6,
13 159:14
169:18
172:12
174:17
182:20
184:10
194:20 213:7
214:24,25
217:6 221:4
232:20
233:13 236:4
237:3,24
239:19
240:14 243:7
244:14 248:9
260:16 264:5
270:6,16
271:9 278:11
279:11,16
281:12 288:6
291:5 305:21
312:12 315:9
317:11

likely 31:9
39:7,16 44:20
64:22 66:9,14
223:17 230:1
259:3

likes 123:7

Likewise
12:14 20:6

limit 167:6
214:7 242:16

limited 16:6
85:3 134:19

limits 62:8
266:9

line 70:5 74:7
107:1 114:25
123:24
138:12
207:22,24
221:18,19
246:25 260:7
261:4 264:14,
15 266:7,24
269:20

lines 56:12
139:22
181:10
208:24
209:20
218:19 227:2,
5,19 234:11
260:21
269:22

Linge 38:12

Linge's 29:9

links 294:10

list 7:17 19:10
80:7 130:17,
18,19 143:3
155:23
171:14 174:3
179:6 194:23
283:17
302:25
309:20 318:4

listed 19:11

182:17 262:8
291:10

listen 30:3
50:20

listened 260:2

listening
90:17

literally 40:1
90:2 111:23
167:24

little 20:7
87:20 91:15
112:10
113:22
114:16,18
115:25 123:8,
9 124:13
134:11
139:17
140:21
206:14
210:16
226:23
241:21 242:8
244:1 251:13
254:6 275:9
287:11
296:10
305:23

live 126:5,10
209:13 235:9

living 97:25
101:3

LLC 6:20
50:16 71:18,
25 293:14
305:3 309:23
314:15 318:7

LLP 7:3 9:22

LLPS 11:25

12:1 13:14
14:22 15:1,
17,23 16:3,9
17:10,15,24
18:14 20:22
21:13,15,25
22:13,16,23
23:6,11,24
24:6,9 25:6
31:3 32:19
33:1,11
35:15,18,22
36:11,13 61:6
64:6 73:1
78:1 80:18
108:4,9,17
109:5,12,19
110:11 111:2,
6 134:1
147:10,21
154:23 155:2,
7 159:7
161:16 190:9
241:2 243:7
284:16 311:7

LMP 246:1
299:1,8

LMPS 245:23
247:5 294:10

load 4:11
11:24 12:19,
25 13:9 14:20
16:2,8 17:1,
11,13,17,19
18:10,11,21,
24 19:1 20:3
23:5 25:4,8
26:21 29:16
31:2 32:12,13
33:15 34:3,4,
24 35:24
37:3,20
39:15,23

41:19 42:15
43:12,25
44:15,17 45:6
46:4,7 47:11,
16,21 48:21
49:13,22 51:9
53:25 54:20
56:24 57:12,
20 58:23,25
59:4,10,13
60:8,11,14,24
61:8,19,25
62:5,18 63:2
64:17 65:5,16
66:19,23
67:24 68:20
69:12,17
70:13,22,24
78:2,5 82:20,
23 83:6,10,
14,18,19,25
85:16 87:6
93:21 95:22
104:15,16
113:11,12
114:21
120:19 121:4
133:13,14,19
135:8 136:10,
19,22 142:23
143:5 147:17
148:1,11
149:5 155:7
157:20 174:6,
15 177:7,11
183:1 185:21,
24 187:13,21,
22 190:17,22
192:2,8 201:9
204:20 205:8
213:7,16,20
214:18
215:10 217:1
218:8 219:6,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

11 220:22
224:8 227:20
228:6,9
229:16
233:16,17
234:20,22,24
235:1,3,5,6,
11,16,19,21
236:12 247:1
248:12
253:11,14
254:11,24
255:9 256:2
257:11
258:23 259:1
260:13,17
261:16,20,23
262:2 263:12,
24 265:4,9,25
267:16,18,25
268:2,20
270:22
271:17
272:21 274:5,
24 275:2
278:3,4
281:20 282:3,
15 295:15
298:4 299:12
300:20
301:14
308:23,24
309:1,10
310:13,16

**load-
responsible**
60:18

loads 13:25
16:19 17:6
23:3 26:19
50:23 57:8,9
65:19 66:7,9
67:11 68:12

69:16 187:14,
20 188:4,5,7
192:9,14
217:17
218:22
234:12,14
236:6 259:4,9
265:2 267:7,
12 274:25
275:4 284:21
285:10

loan 111:2

local 65:9
115:6

locate 40:15
78:3 83:20
219:7 266:1,
3,6,7 281:13
282:3,8,16

located 72:9
149:6 174:7
265:10 266:7

locating
261:6 270:10

location 53:2
200:2 281:15
287:7

locational
245:23 294:8,
18 302:9

locations
98:12

lock 219:3

lodge 8:12,15

logical 68:15

long 52:21
65:12 87:3
96:1 100:14
102:16

105:19
150:25 231:5
296:8

long-term
42:8 44:7
51:25 52:11
55:9 65:23
79:10

longer 126:13
250:18
289:10

longer-term
13:21

longterm
78:25

look 34:14
37:13 45:24
71:14 73:2
77:15 94:13
101:23
102:20
107:22
117:24 123:7
135:16
141:15
145:20
152:21,22
222:24
227:19
234:11
253:19
266:21 278:7
298:6 302:6
319:1

looked 280:22
296:8

looking 10:21
52:23 133:4
134:3 136:14
139:22
153:22

155:23
156:17
162:13
175:12
177:14 184:9
186:22,23
188:1,14,23
282:8 289:15
291:6 300:22
301:16,18,19

looks 47:12
62:25 116:4,8
130:25
139:19
174:17
179:12
279:11,16
294:18

looping
311:20

lose 99:3

losers 269:8,
12

loss 97:2
285:22,24

losses 298:25

lost 113:11,12
226:22

lot 69:6 70:16
80:15 85:2
90:18 94:7,9
103:17 110:2
117:17,25
119:5 137:7
147:12
150:22
152:24 153:6
156:13 162:1
225:2,12,14
231:25 232:1,
20,21 242:17

243:19
247:15
255:15,16,21,
23 258:2
260:1 265:12
266:11 269:1,
2 276:10
278:16 282:7
283:21
287:20,21
288:11,23
294:3

loud 133:6
134:5

Louis 287:12

love 141:15,
18,23 177:2

low 159:8
241:12

lower 35:14
55:3 62:9
91:6,20 92:8
94:4,22 115:8
117:18
159:13
233:23
256:19
275:18,19

Lowery 5:21,
22 38:24,25
50:6 87:23
122:22
130:15 193:1
201:24 212:1,
2,4 217:16
218:4 219:16
224:3,5
226:4,8
229:14
230:17 231:1
245:4 254:2,5
258:14

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

259:12 260:2 262:6 269:14, 16 273:11 281:8 282:25 284:24 285:4 293:20,22 300:25 301:2, 13 305:10 310:4,6 312:1 314:21 318:13

lowest 96:16 134:7,15

LPS 16:4

Lubert 38:12 228:12 229:4 280:16

lunch 125:5 126:25

Lutz 18:13 19:22 21:19 22:4 24:11,25 132:14 147:6 154:9,20 167:9 196:2, 18,25 197:1, 11,22,25 198:5,8 199:8 206:9

Lutz's 272:25

M

M-A-R-C 72:1

M-A-S-T-R-O-G-I-A-N-N-I-S 306:16

M-E-R-S 84:24

M-I-C-H-A-E-L

303:20

machinery 55:16

Madam 6:1 10:24 11:5,17 72:2 126:12, 19,23 170:11, 15,19,23 196:3,8 198:13,17 217:12 230:19,23 253:24 254:3 258:6,10 285:2,5

made 13:11 27:16 42:11 43:4 49:5,8 73:9 109:15 126:12,16 134:25 141:21 197:8 213:10 217:12 251:22 258:4 277:4 292:17 309:3

magic 125:6 152:24

main 65:14

maintain 75:12 88:17 271:14 272:2

maintained 119:24

maintaining 78:6,13

maintains 15:18

maintenance

64:25

major 24:15 55:25 60:3 72:10,11 99:23 103:5 115:10 120:9 234:16 236:7

majority 76:25

make 10:25 11:1 30:3 41:22 52:10, 23 75:24 76:1 81:23 90:22 100:10 102:3, 9,15 105:18 106:4,15 107:2,16 111:20 114:13 115:21 116:13 121:2 122:24 125:13,15,18 142:3 144:6 149:12,13 155:4,20 162:6 163:12 175:13 191:8 207:21 222:24 223:1 225:11 230:6 232:2 233:5 238:2 243:20, 22 257:5,6 266:2 271:18, 22 273:12 274:8 281:20 290:4,5,12 292:22 304:11 306:25

makers 85:9

makes 52:8 113:13 160:6

making 21:1,8 28:7 29:17 34:21 49:10, 17 76:4 88:2 97:4 103:4 119:12,13 219:25 220:13 228:2, 4,5 229:8 230:20 234:4 252:9 287:6

manage 61:11 150:25

management 16:17 53:12 54:21 150:23 226:17 227:14

manager 316:10

mandates 154:14

mandatory 24:9 113:2 155:10 158:5 191:13

manner 41:12 66:24 162:2

Mantle 24:17 164:6

manufacturer 72:10

manufacturing 24:6 53:21

many 26:15 48:17 54:20

66:21 68:24 78:17 81:11 83:19 100:4 140:10 141:3 204:24 238:20 243:13 246:10 267:4

Marc 6:12 71:24

March 88:24

margin 248:18,25 249:6,8

marginal 245:23 248:17 294:8, 19 299:14,22 302:9

margins 113:4

mark 7:14 24:8 65:7 94:14 108:1 113:23 118:15 142:25 182:20

Mark's 23:22 29:22

marked 128:7 163:20 172:11 183:5 195:8 197:3,4 207:17 270:17 273:20 306:21 313:14 316:14,18

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

marked-up 139:6

market 93:24 99:21 108:16, 20 133:14,19 134:22 135:9 136:10,20,22 142:23 143:5 194:10 195:18 245:24 246:3, 7,25 247:21 248:8,9,11, 20,21 294:11, 12,20,23 295:6,16 298:2,4,17, 22,24 299:18, 23 300:12 301:24 302:2, 6,14

market-based 199:22

marketing 97:16

marketplace 100:1 190:23

marking 195:5

markup 71:3, 8

Martin 18:4 22:4 171:15 172:13,21

Martin's 172:8

massive 31:7 64:20 100:17 227:21 231:24

264:19 265:2, 4,17

masters 247:25

Mastrogiannis 38:10 305:22 306:8 307:11, 18 312:11

match 134:24 151:12 299:8, 18

material 21:22 235:6

materialize 59:14 65:19 66:10 68:13

materialized 97:11

materials 76:25

matter 4:8 41:24 44:23 72:4 74:22 82:19 90:9 119:16 185:20 249:21

matters 4:20 9:1

maximize 20:20

maybe 88:11 106:17 124:12,13 143:14 166:4 199:21 224:19 228:9 231:5 234:22 239:8 242:8 243:11 254:8

255:15 297:13

me 6:11 9:1 46:4 63:10,24 91:1,24 103:19 122:20 124:6 129:14 133:5 135:14 136:4 138:4 139:18 144:6 147:4 154:5 156:4 161:15 164:10 168:15 171:19 172:9 177:16 181:11 188:24 202:24 203:10,20 210:8 212:7 214:14 215:14,17 219:4 221:17 226:23 228:21 231:11,18 234:13 242:8, 10 243:24 253:22 254:6, 13 258:3 259:12 261:2 269:3 278:21 279:10 281:20 282:13 284:7 296:10 297:12 299:21 311:19

mean 40:22 41:19 68:10

90:10 91:25 93:10 104:12 135:14 150:20 157:15 162:22 164:13 165:3 175:11 178:20 179:12 185:4 204:18 216:12 218:23 222:16 223:19 228:12 236:7 238:11 239:14 243:6 249:2 252:8 261:18 264:25 266:9 270:25 273:17 282:6 288:10 294:7 297:10 300:3 311:5

meaning 265:1

meaningful 79:4

means 45:23, 24 46:16 51:16,20,24 52:3 83:22 89:5 105:5 108:23 114:1 120:14 155:16 248:15 267:13 310:16

meant 131:9

145:18 286:4

meantime 9:20

mechanics 167:10

mechanism 17:5 151:7, 15,17,24 155:15 166:12,15 167:7 307:22

mechanisms 79:4 146:12 251:14,17,19 272:23

meet 60:20 78:20 83:23 113:7 154:3, 13 200:20 201:2 224:8 250:14,18 299:12

meet all 266:17

meeting 138:21 139:7 140:21,23 194:14 250:8, 11,12

meetings 79:5 139:4 140:10,13,14, 16 141:8

meets 25:12

megawatt 78:4 104:5 247:20 295:14 298:2, 4,7,9,16,21 299:3 311:12

megawatts 14:12 15:25 16:1,9,20 35:6 62:9,12 187:20 259:10 265:3

meld 43:10

members 38:4 64:19 69:13 72:2 237:25 244:19 245:6, 12

memorandum 8:2

memorialize 17:4

memorialized 24:13

memories 177:2

memory 42:11

mention 86:2 91:12 122:8

mentioned 30:20 45:15 59:16 88:20 103:8,25 115:14 156:14 194:6 237:18 263:1 264:3

merits 51:4 88:10

Mers 6:7 84:22,23 86:13 202:12

message 47:2

220:8

met 155:19

Meta 13:12 76:19 77:4,9 80:12,16 81:5 99:19 114:12 213:7 289:15

metallurgists 102:14

meter 24:5

methods 59:3 60:11

metrics 114:7 152:14 157:20

Metro 4:8,9 10:2,4 128:6 172:10 203:16

Metro's 12:3

MIA 284:13,19

mic 6:5 86:18 170:12

Michael 38:9 302:25 303:10,20 304:1

Michigan 61:20

Microsoft 99:19

middle 17:16 43:10 170:24 201:3

midstream 89:14

Midwest 57:1

Mike 267:1 286:1

million 77:5 94:19 223:14 227:11,12 233:24 255:23 256:4, 6,7 257:11,16

millions 98:3, 23 289:17,19, 20

mind 30:2 34:20 88:16 133:5 151:20 196:4 244:25 245:5,9

mindful 85:6

minimizing 59:12

minimum 16:7,10 30:19 32:9 57:12,17 59:17,21 61:17,21 62:2,14 65:24 69:16 78:24 106:1 124:12 136:11

minute 196:7 206:16 276:14 278:12

minutes 45:4 194:18

mirror 203:25 205:14

misguided 20:23

mishear 145:2

MISO 248:10

missed 79:13 241:21 279:24

misses 243:12

missing 100:6

Mississippi 287:16

Missouri 4:9, 10 5:20,23,25 6:8 10:2,4,5 12:12,20 13:7,13,23 14:21 15:21, 24 17:18 20:24 22:25 23:10 26:15, 22 27:6 28:9, 10,18 31:17 34:7 37:11 39:2,8 40:1 42:2,10 45:8 47:1 49:3 50:23 53:1 57:3 58:10, 15,17 64:21 65:4 72:10 73:1,6,13 74:6 76:24 77:7 78:3 84:21 85:11, 21 86:21 87:11,12 89:17 96:19 98:7,10 100:21 101:11 107:24 114:5 117:18 118:10 128:6, 7 130:25

138:5 151:11 153:10 154:16 165:20 168:17 172:10 175:23 176:10 192:25 193:14 201:23 202:11,14 203:3,16 205:21,25 207:13 211:25 214:19 216:15 219:12 224:12 234:15 235:9 237:17 246:23 249:21 250:22 260:14,18 261:7,17 263:24 264:18 266:6 267:1,10,18 268:2,15,22 269:8 270:11 271:13,18 272:8 274:14 275:7 277:16 280:3,8,11,17 281:14,22 282:4,17 287:1,5,11, 16,23 288:3 290:13 292:10 293:19 303:24 305:9

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

306:18 310:3 313:10 314:20 316:9 318:12

Missouri's 14:1 19:24 25:12,18 29:16 34:3,4 39:4,16,24 41:3 49:6,17 52:21 78:1 213:21 269:9

Missourians 40:5

mistake 41:22 110:2 124:17

Mister 98:1 265:19

misunderstood 144:8 209:7

MIT 98:18

Mitchell 4:18 50:19

mitigate 21:4 65:17 66:24 67:16 83:15 151:12 284:9

mitigated 25:3

mitigating 66:20 115:11

mix 61:11 68:17

MKT 37:12 112:5 132:17 137:12,17 143:4 204:22 214:24 261:18

model 190:20 216:25 218:7 235:23 237:12 246:24 294:1, 13 295:2,4 296:5 301:22 302:4

modeled 47:5

modeling 238:5 247:6, 9,13 294:4,21 295:19,20 296:17 301:17

models 234:21 235:1, 4,9,14 236:2 302:8

modern 12:25

modest 67:7 69:15

modification 15:7 200:19, 23

modifications 122:17

modified 4:10 14:23 15:11, 17 17:15 18:15 23:15 25:6,23 43:18 200:24 212:17,20 273:7,8 277:20

modifies 15:12

modify 28:1 105:4

moment 25:19 88:20 91:14 160:25 163:21 184:10 302:16

momentarily 8:5

Moments 176:19

money 90:22 99:9 106:4,15 108:23 110:23 159:24 160:6, 9 222:24 223:1 228:5 231:7 232:4, 11 233:2,3,4, 11 255:23 288:11,18,23

monies 233:21

monitor 116:2

monitors 115:25

month 92:4

month's 88:1

monthly 15:24 57:17 59:17 60:25 61:1 62:2,14

months 19:2 20:4 62:1,3,4, 11,13 244:20 246:10 273:18

Moore's 97:20

more 13:7 14:12 16:2 19:21 20:3 27:11 31:9,21 35:6 40:6,14 49:7 51:9,20 53:14 54:14 57:24 70:20 73:15 77:5 80:22 81:21 92:25 93:6, 13,20,25 94:1 97:20 99:18, 20 100:21 101:16,17,24 102:21 107:24 113:14 118:13,15 119:17 121:16 125:3 133:21,23 135:11,14 136:25 137:7 138:9 140:21 147:7 153:15 156:10 159:17,20 166:6 167:10 175:7,20 192:22 201:21 203:22 223:4 227:10,11 228:10 229:5 230:8 231:2, 7,25 232:9,10 233:12 234:3 241:19,24 242:22 250:23 251:2, 5 252:14 256:20,21,25 257:8 258:23

265:9 276:10 284:8 287:5, 6,7 289:12,16 290:16 293:3 302:17 304:16 315:9

Moreover 21:3 44:16 59:25

morning 6:21 7:1,7,24 9:20 11:21 15:16 25:25 26:7 38:24 43:16 44:17 47:15 50:17,18,19 62:24 63:16 64:9 71:21 73:25 74:1 82:7,17 84:22 86:19

most 12:24 48:15 81:17 84:14 86:25 87:2 95:13 104:24 117:14 148:4 178:21 248:11,21,22 249:22 288:5

motion 4:21, 24 7:20,22 8:1,10

motions 4:20 7:18 194:25

motivating 65:21

move 66:5 88:8 92:11 128:20 146:1 153:13

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

163:18
172:20 186:3
193:21
197:17
264:21 283:1

mover 66:15

moving 54:5
157:17

Mr 5:8,18,21
6:21 7:1,21
8:11,19,24
11:14,19
19:22 20:23
21:19 22:4,5,
20 24:11,25
38:21,24
42:9,17 45:4
46:24 48:23
50:6,12 63:8,
13 67:21
71:24 73:25
74:1,4,8,11,
15,18,21
75:1,4,6,9,16,
19,24 76:3,7,
12 86:16,19
87:23 89:15,
18,20,24 90:1
121:14,19,23
122:5,18,22
125:12,17
126:4,9,11,
15,20,21
127:3 129:12,
15,17,24
130:3,5,7,15,
22,25 131:7,
17 133:2
134:9,10
142:19
143:18,21,24
144:1,2,22
145:3,8

147:24 154:9,
20 161:4,6
165:13,24
167:9,14,23
169:20 170:3,
8 171:3,10,
11,20 172:1,
20 173:1,5,9,
13,21 174:21,
24 175:2,16
176:2,5,12,
14,15 177:19,
23 178:2,3,9,
11,12,14,15,
16,17,20
179:1,4,7,11,
18,24,25
180:13,17,21,
25 181:2,4,5
182:18,19
183:9,14
184:1,2,16,17
186:3,5,11,
19,21,22
187:3,7,8
189:15,18,19,
21,24 190:4
193:1,5,8,16,
20,23 194:1,
2,17 195:2,
11,12,24
196:17,23
197:11,16,21,
25 198:2,11,
15,18,19
199:1,8
201:24 202:2,
5 204:7,10,12
206:5,9,13,
17,23 207:8,
23 208:12,19,
21,24 209:6
210:7,23,24
211:3,10,18,

20 212:1,4,5
217:11,14,16
218:4,5
219:13,16,18,
20 220:7
221:13
222:21 224:1,
3,5 226:4,8
228:12 229:4,
14 230:17
231:1 245:4
254:2,5
258:5,6,8,13,
14,15 259:12,
14,20,22,23,
24 260:2,24
261:3 262:6
265:6 269:6,
14,16,19
270:16,19,20,
25 271:3,8
273:11 278:6,
13,14 280:15
281:8 282:20,
25 283:9
284:24 285:4
288:5 290:16,
18,23 291:6,
11,12,14
292:1,2,8
293:1,2,6,9,
13,15,20,22,
23 295:17
300:24,25
301:2,6,9,10,
13 302:16,17,
21,24,25
303:7,9,10,
15,16,22
304:14,15,18,
22 305:1,4,
10,12,16,19
307:14,17
309:17,22,24

310:4,6,7
311:2 312:1,
13 313:3
314:10,13,16,
21,23 315:6
316:3 318:1,
6,8,13,15,23

Ms 5:13 6:7,
11,17 7:7 9:6,
13,17,19
10:7,19,23
11:6,10,20
25:25 26:5
67:21 76:15
79:25 80:4,6,
21,23 81:1,23
82:2,7,11,12,
15 84:19,22
86:13 127:4,
7,20 128:19,
23 129:7
130:8 131:2,
11,16 132:25
133:1 135:10,
25 136:5
140:20,23
141:2 142:18,
21 143:1,8,12
144:16
145:11
146:21
160:25 164:6
165:1,6,9,17,
21,23 167:17,
19 168:4
170:1,5,7,21
171:2,7 176:8
182:23
193:12
198:22 202:9,
12,15,17
206:23,25
207:7 208:10,
18 209:18

210:24
211:23
212:17,20
216:1,6,8
218:13 221:4
229:11
230:16,21
237:7 244:5,
8,10,12,13,17
245:2 246:19
257:23
268:23 273:8
280:15 283:5,
8 285:8
293:17 301:3
305:7,21,22
306:13
307:10,18
310:1 312:4,
8,11,12,21
313:2 314:4,
18 315:3,11,
20 316:2
317:11,21
318:10,20

much 9:17
11:5,18 47:12
72:22 76:7
80:24 84:18
86:12 87:25
94:11,23
95:19 96:3
103:24
114:12
115:18
116:16 119:6
120:5 123:19
129:6 156:16
167:10
186:20
198:17 208:2
209:19
210:23
223:25 231:6

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

236:16 251:2 256:25 257:8 290:16 291:12 302:18 303:9

multi 245:22

multi-billion 52:17

multi-year 294:17

multiple 56:25 70:16 77:23 81:6 99:23 103:25 109:25 140:2, 19 141:4 187:19 188:16,17 209:2,24

multiplied 133:10

multitude 124:19

multiyear 246:7 254:21

musical 206:15 305:23

my 4:12,15 6:18 9:23 10:9 11:12 26:1,8,11 38:13 50:2 63:13,14,17, 20 75:19 80:19 82:1,17 86:8,22 100:24,25 103:11 104:12,18

112:11 118:16 120:4, 7 121:6 124:2 140:25 142:6 144:20 145:3 153:16 154:25 155:23 162:15 164:12 167:17 168:15 169:1 171:13 173:6 175:2 177:2 179:8 182:6, 8,23 185:1,8 187:4 189:10 190:15 191:9 196:25 201:5 207:10 210:12,22 212:22,25 213:12,13,18 215:6 216:22 217:7,17 221:5 222:8 223:11 224:11 225:12 229:19 232:24,25 233:3,5,13 236:16 237:25 244:24 245:12,13,14, 15 246:15 248:19 249:10 253:6, 25 257:1 259:4,11 261:9 263:6 267:13 270:17

271:16 277:21 278:5 280:5 281:6, 24 286:11 289:14 292:6 296:20

myriad 266:3

myself 9:19 261:1

myth 91:16

N

N-I-C-O-L-E 84:24

N-I-K-H-I-L 63:14

name 4:12 11:2,9,12 26:1,4,8 50:4, 10,13,14 63:12,13,14, 17 82:13,17 86:22 112:17 127:21 131:13 149:5 172:2 173:6 174:9,10 175:2,3 179:8,25 196:24,25 207:8,10 288:19 292:5, 6 303:18 306:14 313:5, 7 316:5

NAMED 127:16 171:21 179:20 196:19 207:3

291:22 303:11 306:9 312:23 315:22

names 175:8 262:8

naming 148:12

nation 51:12

national 12:24 17:24 43:2 64:1 181:14

nationwide 17:17 19:2 82:22

natural 52:6 55:15 263:2 302:5

NDRC 279:22

near 71:3 234:25 235:21

nearby 114:24 115:6

nearer 116:8

nearly 37:10 90:7 95:24 96:23 105:19

necessarily 70:3 91:20 139:1 149:8 218:23 234:6 235:25 236:1 242:23 243:5, 16 280:11 282:6

necessary 20:11 28:1

51:16 61:8 116:13 152:10 178:19 218:25 219:2 232:19 243:1

necessitates 30:14

need 7:13 9:2 24:18 36:17 44:24 48:4 94:1 101:23 116:22 118:18,23 119:3,9 124:24 125:12 142:24 147:8 175:11 178:19 183:10,12 197:8 222:4 224:7,11,12 225:3 228:7, 10 230:2 238:21 242:10,11 250:2,19 290:7 305:22

needed 33:23 60:4 79:9 93:4 97:19 135:3 154:3 223:18 233:15 248:12 249:22 289:10

needlessly 25:18

needn't 29:13

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

needs 6:4
17:11 22:1
25:12 44:17
91:16 92:13
123:14
134:24
159:14 164:1,
15 222:23
235:21

negative
48:10 251:10,
20 252:4,17
255:11
256:10
257:18

negotiable
158:14

negotiate
150:11 162:5
220:24

negotiated
79:20 153:11
158:2,4
166:16,20
209:3

negotiating
66:2 69:7

negotiation
72:24

negotiations
69:5 77:20
142:8 149:9
200:17
210:13,18

neighbor 47:8

neither 28:21
224:6

NERC 181:15,
17,25 182:2,
4,7,10,12

183:15,16,17
184:2,20,24
185:3,6,9,10,
14,17,19
186:12 187:2,
9,10 188:4,6,
11,21

nervous
275:10

net 94:18,23
298:6 308:3,
8,16 309:6

net-based
308:15,21
309:9 310:15

network 17:2

never 45:22
183:11

Nevermind
46:12

nevertheless
66:10

new 4:10 13:9
15:23 17:19
21:3 35:16
51:20 53:2,8,
22,25 54:18
56:2,12 65:1,
16,22 66:17
79:6 80:18
81:16 92:16
93:21 97:17
154:1 199:12
200:3 224:7,8
225:19
227:21 231:8,
10,15 232:3
233:14
235:24 239:5,
11,17 243:21
253:10

271:13,19,23
272:1 274:4,
23 275:1
282:16
285:14,18

newly 14:1

news 87:16,
21 96:11
115:23
259:25

next 36:8
38:20 80:19
85:12 97:25
106:1 108:3
109:23
136:13
171:14 179:5
196:1 206:12
225:19 235:3,
5 240:16
257:21
258:24
290:10 291:5,
8 302:25
305:21
315:10

**next-
generation**
56:8

Nichole 6:7

Nicole 84:23

Niemeyer
38:11

Nikhil 7:2
63:9,14,17

no 9:6 11:19
20:7,24 26:17
29:11,12
41:22 43:12
75:16 83:25

90:9 94:9
100:12 101:9
106:11,24
111:13,14
119:14
128:12
129:15 130:7
137:13
138:17,19
142:14,18
148:22 150:1
152:6 153:17
159:14 161:1
162:24
164:24
165:13
169:19
170:10 171:5,
7 172:16
173:8,13
175:24 176:2,
5,8,23
177:20,23
178:9 186:6
189:24 193:1,
5,8,12,16,20
195:8,21
198:23 199:1,
14 200:12
201:5,24
202:2,5,9
203:14 204:2,
7 209:17
211:3,18,20,
23 213:12,13,
18 248:7
250:18 252:2,
12 258:21
262:22,23
269:15 271:3
282:19,25
283:1 286:16
289:10
290:16 293:9,

13,15,17
297:11
298:14
300:25 301:3
302:21
304:13,22
305:1,4,7,10,
12,14,16
307:1 309:2,
17,22,24
310:1 311:7
312:1,4,8
314:10,13,16,
18,21,23
315:1,3
318:1,6,8,10,
13,15,16,18,
20

nobody 98:18
109:14
288:12 289:1

node 133:13,
15 190:9

nodes 22:17
194:3,5,12

non-data 91:7
95:14

non-large
69:17 83:25
104:15
120:19

non-llps
95:15

nondata 24:6
37:3

nondisclosure
149:3

none 38:18
63:6 84:17
94:4 107:18

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

125:4 143:8,
10 172:23
175:21 179:5
180:22 183:6
192:23
195:24
197:25 198:9
201:21
208:15
305:19 312:6,
11 317:18

nonllps
109:4,12,18,
20 110:24
111:2,4
310:22 311:3

nonmarginal
249:5

**nonparticipan
ts** 16:13

nonprofits
77:6

**nonsignatorie
s** 15:8

nonstate 14:3

**nonunanimou
s** 8:2 12:7
14:5 28:11
64:8 70:9
71:12 72:14
73:16,20
77:18 82:25
84:3,13
101:19
277:18

nonutility
85:23

Nope 248:4

nor 28:21
58:24 67:4

214:18 224:6

Noranda 37:8
102:8

normal 20:25
116:6 257:9

normalize
238:22

normalized
295:15

North 181:18,
21,24 182:24
184:17

not 6:2 7:19
8:5 12:15,16
16:6 20:1,12,
15 22:2,24
24:1,5,18,22
28:17 29:19
30:7,13,17
32:11,15,25
33:10,13,22
35:15,19
36:22 37:6,15
42:11 43:9,14
44:4,9 45:9,
23 46:4,14,20
47:22 48:21
53:1 54:7
56:20 58:5,22
59:5,6,23
60:2,12,21,22
61:7 62:16
65:19 67:2,12
68:10,18,20,
24 69:4,20,
21,24 70:2
71:10 72:5,6,
7 73:11 74:24
75:16 80:4
83:6 84:1,9
87:19 89:24
90:18 91:20,

21,22 92:12
94:5 95:6
96:7,8
100:18,24
102:1,3,21,23
103:3,7
105:24 110:3,
19 111:9,11
113:14,15,20
114:3,4
115:17
116:15
119:10 120:5
121:5,20
122:8 123:1,5
124:12
125:20
134:19,23
136:15,17,21
137:4 141:17,
18 145:13,22
147:2,9,13
148:2,19,23
149:7,16,18,
23 150:4,6,15
151:8,18
152:16 154:3,
14,15,24
155:4,8,17,
19,20 156:9,
23,25 157:10,
16 159:16,20
160:6,8 161:8
162:5,15,19
163:4,6
165:17 166:1,
10,19 174:18,
25 177:4,13
184:7,22
189:10 193:4
194:18
197:10
199:18 203:2,
15 205:10

209:17
210:14,21
213:10
214:17,25
215:9 216:3,
4,5,11,16
217:4,10
218:6,16,23
219:1,10
220:23 221:5,
24 223:13,24
224:21 225:5,
23 226:3
228:2,18,22
229:6 230:2
232:5,16
233:6,9 234:1
235:23
236:20 238:2
241:2 242:16
243:1,5,15
244:2,13,24
247:11,16,20
248:8,18
249:9,22,25
250:8,11,14
251:19
252:25
255:15,22
256:12,23
257:1 258:15,
19,22 259:6,8
260:11 261:5,
9 262:24
263:6,10,14
264:1,5 265:5
267:18 268:7,
12 269:7,25
270:8 271:3
272:5 273:11,
20 274:9
275:14
276:14
277:22

279:14
280:10,13,15
281:1,3,8
282:11
283:12,17
284:6,18
285:14,19
287:21,24
289:20 290:6,
21,24 292:25
293:4 296:11
297:11,17
298:9,11,13,
16,22 299:8,
17,18 300:11
301:25
304:17
310:20,21,25
311:1,8
313:20
314:13
316:24

Notably
208:25

note 8:17
42:25 67:18
89:10 90:4
95:10,20
100:23
175:19 254:1

noted 15:6
28:13,14
58:22 130:2
138:7 213:25

notes 36:9
153:16

noteworthy
58:6

nothing 40:20
45:16 127:10
171:17
179:13

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

189:19
196:12
206:19
233:18
244:25 245:5,
9 256:16,18
291:16
302:17 303:2
305:16 306:3
309:2 312:16
315:15

notice 57:14,
16 59:18,22
62:1,11,13
105:10
132:20
142:22
194:25 195:3,
6 228:12

**notwithstandi
ng** 18:17 45:3

novel 264:9,
10

now 14:23
36:11 40:17
44:9 64:14,20
66:2,8 68:21
69:4 70:12
71:6 76:22
84:20 86:17
87:21 89:7
92:6,19,22
93:1,14 94:6
96:4 100:9,13
101:25 103:4
104:12 111:4
112:9 113:10,
22 114:16
115:1,23
120:12
130:23
135:11

139:18
143:14,16,20
151:19
153:22 169:8
188:1,23
200:24
203:20
206:15
210:24
227:19 230:1
231:10 234:2
247:4 251:25
261:11 262:5,
18 272:14
277:13 278:6
281:12 282:2
288:15 291:7
293:5 297:11
301:19

nowadays
251:3

NRDC 279:23

Nucor 6:9,13
12:12 28:9
37:9 71:23,25
72:3,18 73:12
74:5 202:7
211:16
277:15

number 4:7
30:5 31:14
48:5 62:3
96:17 133:8
158:7 174:10
176:24
217:18 243:2
258:16 259:3
270:18 304:4
316:14,19
317:12

numbers
175:7 177:10

242:5 256:8

numerous
42:4 54:12,23
56:15,16

Nvidia 99:1,
20

O

object 12:15
67:2,4 125:21
136:2 144:16
167:14
169:20 183:9
186:5

objecting
130:6

objection
7:22,23 8:12,
15,18 11:1,15
28:13,15
117:5 125:13,
16,19 126:13,
15 129:19
130:1 167:23
170:2 171:10
186:6,8 187:3
195:7 206:8
209:7 217:11,
13 218:2
219:13 224:1
229:11
230:16 245:2
258:5,7
268:23
284:24 285:3
302:20
305:18
312:10 315:5
318:22

objections
125:7,10

143:7 172:23
179:4 180:21
183:6 194:24
195:8,23
197:24 198:7
208:14
230:20
302:21
317:16

objective
52:14 65:16,
21

objectives
13:2

obligated
152:16

obligation
46:13

obligations
17:4 153:5

obtain 5:3
60:19 225:16

obtained
134:23

obvious 68:6

obviously
104:13 124:2
148:4 162:9
213:14

occasions
48:17

Occidental
279:15

occur 60:1
62:10 65:19
210:10

occurred 66:4
187:11,21

occurring
120:3

odds 222:1,13

of 4:8,10 5:6,
17,23 6:8,12,
13,18,23 7:3,
8,15,17 8:12,
14 9:21,25
10:1,4,5,9,11,
21 11:15,24
12:7,20 13:8,
11,13,16,17,
19,25 14:3,
12,15,20,25
15:10,11,14
16:2,8,25
17:8,11,14,
16,21,23
18:2,4,5,7,13,
14 19:1,2,10,
20 20:4,17,25
21:2,11 22:7
23:5,10 24:1
25:2,9,12,22,
23 26:9,21,
22,25 27:5,6,
9,17,25
28:16,23,25
29:14,15,18,
25 30:8,10
31:5,8,12,16,
20 32:2,3,6,
17,19,21
33:22 34:1,8,
9,10 35:6,9,
16,21,23
36:6,10,15,16
37:1,2,7,8,10,
11,12,16,24
38:4,16,19
39:7,14,22
40:1,2,19,22
41:7,15,16

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

42:5,8,10,12,
13 43:1,14,
17,19,21,22
44:8,10,13,17
45:5,13,22
46:1,9,15,17,
20,24 47:1,9,
16,19 48:5,7,
12,14,15
49:13,20,21,
23 50:23
51:1,2,4,8,11,
16 52:16,20,
21 53:3,9,10,
20,22,25
54:1,8,13,14
56:8,11,12,
19,21 57:6,8,
20 58:7,24
59:11,25 60:5
61:6,17,18,22
62:1,2,3,6,13,
20 63:18
64:11,21,22
65:3,6,8,16,
17 66:6,12,
21,24 67:2,9,
10,16,17,22
68:2,3,5,16,
24 69:4,5,6,
23 70:1,10,
15,16,23
71:4,6,11,18,
25 72:2,8,11,
20 73:1,4,6,
10,13 76:24,
25 77:2,3,8,
12,14 78:15
79:11,24
80:3,7,15
81:12,17
82:21,22
83:3,8,24
84:2,14,24

85:2,11,22
86:4,15,21,25
87:2,5,6,19,
22,23 88:12,
15,18,21,22,
24 89:2,16,
18,21 90:3,4,
7,11,13,14,
16,24 91:3,8,
9,15,16,25
92:2,8,12,17
93:1,19 94:7,
9,14,18,25
95:4,5,11,12,
18,19,21,25
96:5,14,16,
17,23 97:14,
18,20 98:3,5,
11,14,16,19,
22 99:12,16,
19,25 100:2,
5,10,16,19
101:13,21,23
102:2,5,10,15
103:20,22
104:7,17,21
105:1,9
106:2,13,14,
17 107:4,8,
13,18,20
108:1 109:14,
24 110:12,15,
16,24 111:14,
15,21 112:17
113:10,11,12
114:2,4,8,14
115:5,8,9
116:2,3,6,22
117:14,17,18,
25 118:2,21
119:7,8
120:3,12
121:2,20
122:23 123:7,

9,17 124:4,8,
11,16,19,23,
25 125:6,10,
11 126:1,16,
18 128:5,6,
10,11,16,23,
25 129:1,4,
19,20,25
130:15,18,19
131:2,4,12,
22,23,24
132:4,8,10,
17,21,22
133:9 134:20
135:1,4
136:15 137:8
138:7,23
139:6,9,14,
15,18 140:2,
6,12,24,25
141:5 142:9,
22 143:15,20
144:14,23
146:3,11,12,
13 147:4,10,
12,16,18,19,
20,25 148:4,
17,21,25
149:7,8,16,
19,20,22
150:14,18,22,
25 151:1,3,15
152:11,19,24
153:4,6,12,
20,23 154:5,
7,16,22,25
155:5,8,14,
21,22 156:10,
11,13,16
157:1,5,7,18,
20,23,25
158:3,5,7,9,
14,16 159:1,
4,6,7,11,24

160:8 161:2,
7,22 162:1,2,
4,11,12,23
163:2,6,8,14,
24 164:12
165:1,2
166:15 167:7,
10 168:10,13,
15,17,20,22
169:6 170:24
171:15 172:7,
9,21 173:8,11
174:4,12
175:7,22
176:10,21
177:6,21
178:7 180:3,
6,19,21
181:7,14,17,
24 182:5,16,
21 183:16,18,
21 184:13,17,
24 185:2,4,17
186:22
187:11,14,20,
21 188:4,7,23
189:6,23
190:7,13,15,
16,21 191:2,
3,19 192:4
193:14,18
194:12,15,25
195:5,15
197:2,8,14,
17,22,24
198:4,7,8,14,
22,25 199:13,
14,18 200:6,
19,22,23
201:4,8,11
202:13
203:25 204:6,
22,24,25
205:1,2,4,21

207:14,24
208:7,12,14,
15,22 209:1,
3,10,11,13,
20,24 210:3,
18 211:2
212:8 213:22
214:7,22
215:1,4,24
216:4,5,20,21
217:15,18
218:21 219:6,
19,22 220:2,
24 221:6,12,
17 223:5,7
224:20 225:2,
6,12,14
226:1,10,16
227:17,21,23,
24 228:13,17
229:9,23
231:21 232:1,
21 233:6
234:2,8,23
235:2,3,5,14,
21,24 236:3,
10,11,13,25
237:4,11,19,
25 238:18
239:15,16,20,
21,23,25
240:5,8,18,22
241:21 242:4,
5,12,17,24
243:2,3,9,19
244:19,24
245:5,12,13,
14,16,22,23
246:3,7,9,13,
15 247:15,20,
21 248:10,15,
17,23,24
249:10,15,19,
22,23 250:4,

7,8,9,15,19
251:13,16,23
252:8 253:2,
10 255:2,8,
12,13,15,16,
22,23 256:4,
10,15,24
257:7,11,16
258:2,16,18,
22 259:2,3,5
260:1,6,13,
17,20 262:5,
16,19,20,24,
25 263:2,3,4,
20,23 264:4,
12 265:9,12
266:3,12,15,
20,23 267:9,
10,17 268:1,
5,6,15 269:1,
2,7,10,11,15,
20 270:1,2,8
271:10,11,21
272:5,6,8,13,
14,20,24
273:21 274:7,
13,16,24
275:2,7,12,
14,15 276:7,
19 277:1,4,6,
7,10,19,20
278:16,23
280:19,21
281:1,4 282:7
283:9,10,17,
21 284:10
285:14,18
286:17,21,22,
24,25 287:12,
13,20,21,22,
24,25 288:5,
11,17,23
289:15,17,18,
19,20 290:1,6

291:7 292:19,
25 293:8
294:2,3,10,25
295:14,21
296:5,18,25
297:2,6,17,
19,21,24
298:1,6,9,13,
16,17,21,22
299:3,13
300:9,17,18,
19,20 301:12,
14,16,17,18,
20,21 302:5,
12 304:8,21
305:23
306:25 307:3,
7,13,25
308:11,22
309:3,10
310:9,17,20,
21,23 311:1,
9,12,15,17,21
313:18,24
314:8 315:9
316:10,22
317:4,13,17,
23

off 35:17,22
86:23 99:8
105:25
108:20
109:15
170:12
244:24
245:13
246:15
249:10

offer 141:21
142:10,24
155:12
180:17
194:20

199:15
208:10
287:23 314:4
317:11

offered 73:15
77:10 101:18
134:22
141:11
175:19
192:10
200:10,25

offering 9:4
271:1

offerings
200:9

offers 23:18
143:4 200:5

office 5:16
38:19 65:6
73:9 85:8
86:14,21
143:15 161:2
173:11
177:21
189:22
193:18
198:24 204:6
211:1 263:4
293:8 304:21
307:13 314:8
317:23

officer 96:14

**officially-
published**
132:21

offset 21:8
107:5 160:11
169:3

offsets
160:10

offsetting
32:21 253:12
296:25

often 61:9
237:23
250:23 251:5
263:16

Ohio 57:2
264:4

old 231:16

on 5:22 6:7,
13,23 7:3,8,
23 8:13 10:13
11:3,15 15:1,
15 18:5,11
19:9,11 22:12
24:4 26:9
27:2 28:19,23
31:4 33:6
34:2 36:2
37:18 39:4,8,
11,17 42:20
46:6 47:6,11
48:17 50:23
51:6 56:18,22
57:7 59:5
60:17 61:2
62:14 63:24
64:6 65:11
66:3,17 68:3
71:25 75:9
76:4 77:4
80:7,12
81:10,17
83:11,15
84:24 86:21
87:7,10,11,
17,23 88:21
89:3,8,10,11
91:3,15 92:5,
11 93:2,12,
21,25 95:7,20

96:2,3 97:17
98:8,15
101:3,23
102:9 104:23
105:2 107:14,
25 108:5,17,
19 110:18
111:13 112:9,
12,21 113:25
114:25 115:5,
20 116:10,16,
19 117:1,2,7,
18 118:8,15
120:4 121:16
122:21,23
123:16,17
124:3,6,9,23
126:5,16,18
128:6 129:18,
22,25 130:1,
16 131:12
133:3,8
136:25
137:12,15,17,
19 140:22
141:13,14,17
145:10,18
146:4,6,23
147:7 148:16,
18 149:8,9,21
150:2 151:13
152:8,23
153:18,20
154:6,21
156:1,4,7
157:8 159:6
163:18
164:10
166:24 167:4,
14 168:9
169:24
171:13 172:9
173:8 174:18
175:22 179:5

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

180:6 183:2,
10 184:22
185:15 186:4
187:11 188:1,
4,5,11,17
189:7,16
190:20,24
191:24
192:11,12
194:4,19,22
195:18,20
198:22 201:4,
7 203:2
204:23
207:22
208:23 210:8,
10 211:16
212:7 213:4,
5,6,14,19
214:10,14
215:23
217:14 221:1
222:18,23
223:21
224:15,21
225:3,4
226:17,18
227:4,5,6,16,
17 228:5,8,9
229:5 230:4
231:23
233:14,20
234:22 235:2
236:8,11,13
237:9,22
238:5,16,19
244:9 248:10,
18,19 251:18
253:3,12,24
255:3,13,19
257:24 259:2,
8 260:9,10
261:4,8,16
263:15,20

264:12 266:2
270:1 273:8
279:20,21
280:23
281:23
283:25 284:4
286:1,3,5
287:10,12,13
288:19
289:18
290:20 293:5
299:4,9 300:6
301:12,25
302:25
303:23
304:17
307:25 310:7
311:3,5,8,12,
13 317:14

on-premise
97:14

once 49:16
109:7 186:3
239:5,11,17,
21 240:11,12
250:1 287:20
289:22

once-in-a-
generation
23:1

one 4:20
10:25 26:8
30:5 33:3,14
34:1,6 39:3
40:23 42:12
47:14 48:12,
14 49:20
63:18 69:10
72:15 74:13
76:24 77:5
80:22 81:20
86:25 87:1

88:10,16
90:12 91:11
92:2,7 95:13
97:24 103:5,
11 104:14
105:17 106:3,
5,13 108:1,3,
24 109:11,23
113:24
114:17 116:6,
17 117:13
120:9 121:18
123:2 138:23
146:6,14
148:21
149:19 151:5,
25 157:18
158:7,22
159:1,4
160:25
161:25
164:19
168:20
178:24
191:11 192:4
197:20
203:22
205:17,24
207:22
216:11,19
218:21
226:17 228:5
231:7 239:24
240:15,18
242:14
243:13 245:5
253:9,24
258:18,23
259:2,8
261:22 262:1
266:20 267:4
271:21 272:6
279:17 280:3
282:8 284:8

289:10,18
290:6 294:2
295:21
296:18
299:11
302:16 310:4
318:22

one's 114:17,
18

one-hundred
32:11

one-off 66:3

one-on-one
141:8

one-sided
48:7

one-size-fits-
all 22:3

one-way 48:8
252:24

ones 104:23,
24 192:19
264:5

ongoing
41:16,18

online 4:18
6:4 50:20
54:25 63:21
82:6 89:2,9
90:21,22
105:12
108:10 110:6,
11,16 118:1
119:1 289:7
308:24

only 15:8
18:20 29:21
43:18 44:24
49:17,19 60:1
62:8,10 65:4

105:2 123:3
150:4 199:17
211:16
253:13
260:11
286:13
297:20

onshoring
13:2 53:20

onto 93:23
224:9 258:24

opaque 44:11

OPC 8:11
15:8 23:21
24:17 26:24
28:22 29:22
58:10 81:12
96:8 101:7
103:20
105:20
109:10 114:7
119:7,23,24,
25 120:24
122:8,13
123:12 125:9
126:16
138:21
143:14
146:23,24
154:23 156:1,
17,20 159:1,4
164:6,17
165:25
168:23
169:17
191:12
236:19

OPC's 23:17
25:16 81:2
104:18 122:7
146:8 157:18

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

open 4:2
94:16 99:2
100:1 259:9

open-to-public 27:14

opening 9:3
10:9 11:7
19:20 26:2
43:5 56:14
63:7,23 64:5
71:14,23
75:24 76:2,4
90:17 103:10
121:6 122:6
130:18
131:18
145:11 146:8,
22 149:20
156:15 169:1
217:17
277:24

operate 90:11
147:13
150:17
153:24 252:5

operated 64:2

operates 25:5
32:10

operating
192:11
195:17
259:10 295:5

operation
41:15 54:14
80:8 150:23

operational
54:8,11 55:7
76:22

operations
48:3 75:13

77:13 183:2
185:25
192:16,18
259:2

operator
182:13

operators
54:16 55:24
77:21

opine 247:16
280:23

opinion 33:10
45:5 88:3
103:11
104:18 120:4,
7 163:25
168:2 205:9
261:9,11
286:11

opinions
128:12

opportunities
15:20 39:18
40:18 42:7
51:21 66:19
73:15,17
79:14 84:8
87:22

opportunity
5:4 8:8 12:21
23:1 39:25
40:19,23
41:8,9,23
44:22 50:21
54:2 57:8
62:19 63:22
64:21 69:13
72:16 88:7
103:12
125:20 140:4
153:25

168:11
172:13 192:1
210:1 244:15

opposed 19:8
31:6 36:24
37:16 101:7
200:4 258:18

opposition
8:2,9 209:10

optimize
54:16

option 124:6
205:1

optional 16:8
22:8 57:22
311:8

options 28:6
29:3 59:21,23
61:7,10 123:4
124:15 134:8,
15,18 135:1
286:14

oranges
135:15

order 7:15,16
28:23 29:8,23
30:7 35:13
93:7 107:5,11
111:9 118:4
124:7 130:13,
15,17 132:5
144:12,20
151:15
158:15 162:5,
6 163:16
166:19
175:17
185:19
203:18
223:20
224:13

286:14 291:7

ordered
166:25
189:14

orders 36:4
49:4,20 132:7
162:8 311:6

ordinary
114:4

Oregon
118:11

organizations
98:20

original 15:7,
13

other 7:10,19
9:1 14:16
19:15 20:3
23:2,8,11
24:6 25:11
30:8 34:22
35:10 37:25
41:21 43:8
44:2 46:8
47:2,14 52:1
56:5 58:24
59:12 60:9
62:15 65:18
68:21 69:17,
25 70:1,5,21
76:10 78:16
83:6 91:11
95:2 100:4
102:25
103:25 104:8,
13,21 106:7
107:20,21,22
110:12 112:8
118:10 119:4
120:15 131:4
135:4,18,24

136:8 141:20
146:19
148:10 149:3,
10 150:4
151:25
155:24
157:18 158:7
159:12,14
169:12
182:15
210:13
212:25
213:16
214:23
215:19,22
216:3,11,25
217:1,20,23,
24 218:7,8,9,
11,20,21,25
219:3 220:25
226:18 228:8
229:9,23,24
232:2,16
233:7 237:24
241:14
248:15,23
257:16,17
263:1,18,19,
22 264:3,18,
20 265:1,24,
25 266:15
268:2,11
276:18,21
277:14
281:12,16
282:5,22
286:2,9,10
287:24 288:1
290:8 295:8
296:15,23
299:17

others 200:7
264:4

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

otherwise
155:11,12
177:13
223:18
241:18
245:23 250:1,
19

ought 231:6

our 7:25 8:3,
15 9:20 44:14
47:8 53:11
75:19,20
77:15 79:11
85:21 89:7
106:19
118:14
120:25 121:1
129:19 132:3,
8 138:2 139:2
141:17 143:2
148:8,13,14,
24 149:11,13
150:11 155:9
157:3 160:6
183:10
201:11,16
203:14 205:8
224:21
229:25 230:9,
12 231:3,6
232:9,12,18
237:21 238:3
246:17
265:18
270:12
271:15 272:2,
6,12 278:23
290:6 291:6
314:5 317:14

ours 145:21
273:8

out 10:9 29:9

33:16 36:18
37:6 44:16
45:19 48:24
55:16 68:15
71:7 72:23
87:16,24 90:4
92:9,24 93:3,
11 95:3,21
96:13 97:13
98:13 100:25
101:21 102:6
103:9 106:14
107:12,15,18,
19 114:3,4
116:25
121:24 133:6
134:5 146:14
147:10
149:18
156:24 158:3,
10 159:23
162:1,11
163:11
164:10
168:15
174:11
175:13
183:16 185:3
186:13
190:15,18
191:4,24
204:21 210:7,
8,15 212:8
218:12
221:11
244:18 251:8
265:18
268:15 277:4
286:7,16
287:20 291:7
295:12
300:15

outcome
163:10

286:25

outlet 116:1

outlier 20:8

outline 214:1

outpacing
13:5

output 187:20

outside 60:4
107:8 119:7
150:17 157:7
167:7 263:7,
11,18

over 4:13 13:8
16:20 33:20
41:16,17,18
51:2 52:20
65:3 71:3
72:24 76:24
90:3 96:1
99:12 132:3,8
136:13
144:11 151:4
158:6 159:21
169:10,14
194:9 208:20
210:24
221:19 241:5
249:20
250:11
254:21
256:23
258:16 259:3,
5 263:19
265:8 275:10
278:23
308:11

over-earnings
169:12

overall 15:17
23:9 54:19

113:19
124:12
147:20
228:16
232:22
276:25

overbuild
224:14

overcharging
32:12 44:14

overestimate
148:18

overhaul
59:25

overly 44:11

overrule
168:2 218:2

Overruled
144:19
209:16
230:25 285:1

oversight
33:19 79:4

overstate
222:22

overstated
241:18 242:1

overstates
48:20,24

overview
260:10

own 18:23
34:15 64:2
105:13
107:16 113:7
120:23 185:1
190:9 224:15
229:19
263:15

286:23

owned 76:18
295:11

owner 182:13
188:19

P

P-R-I-N-G-L-E
173:8

P.C. 9:25

p.m. 127:1
196:10
259:17 319:3

packet 195:15

page 133:3
136:13
139:20
153:20
168:10
181:10 184:9
186:22 188:1,
23 207:22
208:23
209:20
221:15,19
226:12 227:4,
6 234:8
260:8,9,20
261:4 264:12,
14 266:23
269:20,22
278:18

pages 180:6
183:12
184:11
278:14

paid 17:1
35:22 160:19
190:25 191:7

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

199:12
310:22

painted 30:21

pan 149:18

paper 188:6
278:16
279:18

paragraph
133:4 134:3
135:17,20,23
136:14,15
186:24 188:2

parallel 69:2

parameters
124:8

paraphrasing
159:5 220:8

parcel 205:1

Pardon
243:24

parity 153:7

part 24:1
27:12 31:15
39:22 61:6
77:14 80:7
124:5 125:10
131:2 144:14,
23 147:19
151:3 156:11
157:23,25
158:9,16
161:7 162:4,
23 163:14
166:15
168:15
177:20
201:11 205:1,
21 216:21
272:13
274:13,16

275:12,14,15
287:21 311:9,
21

participate
140:4 141:15
142:10
168:11 210:1
234:1 245:12

participated
56:24 57:1

participating
12:16 145:14

particular
55:5 113:6
150:8 153:8
156:8 160:1,
15 184:22
185:3,16
194:14 200:1
201:7 243:3
275:19

particularly
72:22 82:20
138:9 262:13

parties 7:16
8:23 9:8
12:10 14:4
19:10,15 27:1
30:20 47:9
54:1 57:4
64:8,15
68:22,24 69:2
72:22,23 73:4
83:3 84:14
102:25
103:25 124:9
139:3 140:4
141:5,7
146:19
153:12 157:6
158:10,14
164:22 165:2

166:16 168:7,
11,20 169:12
178:18,21
209:25
210:14
211:11 257:4
277:15

parties' 10:10
120:3

partly 34:11

partner 53:2
55:25 75:19

partnered
55:10

partners 54:9
77:13

partnership
77:16

partnerships
54:4

parts 105:8

party 28:22
72:4 130:18
171:10
210:15 257:5

party's 23:11
106:7

passage 51:1
227:18

passed 10:8
35:19 52:12
251:14

past 93:17
102:7 163:21
184:21,22
249:20

pasted 267:1

path 14:6
16:19 18:6
52:19 83:17
99:3 275:17

pathway 78:2

patience
319:1

Patmos
96:14,18
121:13

Paula 5:22
39:1

pay 17:13
25:8 35:1
79:11 83:8,10
99:8 106:4,16
107:7 110:13
111:11,19
116:18
120:23 154:7
274:24 275:3
289:23 290:1
310:17 311:9,
12,14,15,17,
21

payer 37:1
58:9 82:24
233:22

payers 27:3
35:17,21
53:14 78:8,11
84:9 87:12
100:22
117:18 225:7
227:23 234:6
290:1

paying 64:23
92:3,7,20,22
110:17 111:5
121:3,4
311:22

payment
60:18,21 61:3
62:1,13
152:12 153:3

pays 241:7

peak 14:12
15:24 35:6,14
77:4 259:1

peaks 284:23
285:11

Peculiar 98:9

penalizes
60:14,24

pending 4:19
7:18 213:22
281:19

penetration
187:23

people 40:11
91:4,12 93:25
94:1 109:25
117:1 140:24
162:3,13
228:6 232:10
276:15

per 55:3 96:17
280:20

percent 32:12
61:22 62:9,12
71:3,8 90:7
93:16 97:10
98:19,22
106:2 155:16
230:14 231:9,
14,20,21
233:1 249:7
255:17,22
274:20

percentage
298:10

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

Perfect 9:18
130:24

perfectly
36:13

perform
236:25 237:3

period 16:8
57:13 61:18
90:3 147:17
308:7,11,17,
18

permanent
13:20 40:6,12
94:11

permissible
57:14

permission
8:15 183:20

permits 18:20
22:5

persistently
48:9

person 92:21
126:17 147:6
154:10

personally
141:4 172:12
245:15 264:1

personnel
262:8

perspective
49:11 56:22
64:6 111:12
159:7,9,13
161:16 213:6
214:18 219:6
221:5 265:8

perspectives
209:2

pertaining
27:1

phase 116:15

phenomenon
235:18

phones 7:10

phonetic 5:22
19:4 29:10
62:24 285:25

phrase 297:6

physical
134:20

pick 123:6
146:9 269:8

**pick-and-
choose**
145:22

picking
269:12

picture 88:22

pie 240:6

pieces 128:11
197:2,8
286:17

pillars 51:15

pilots 98:23

pipeline 13:8
90:5 148:1,13

PISA 255:12
256:5

pivotal 51:3

place 42:1
44:19,21
48:14 85:7
98:9 101:15
116:18
119:17

148:16
151:23
216:18 219:1
225:19
290:13
318:24

places 53:5
141:22
266:17

plan 11:25
14:23 15:1,17
17:10,15
18:15 24:12
25:7 88:24
107:5 110:13,
25 111:5
201:9 205:8

planner
182:14
188:20

planners
54:16

planning 7:23
18:8 36:20
54:14 76:3
180:4 203:15

plans 17:17,
25 24:14

plant 74:6
285:14,19
289:4

plants 296:23
302:5,6

Platte 77:6

play 185:13
301:14 302:2

players
188:11

playing 84:7

146:4,6

please 6:5 7:9
8:25 11:2,9,
20 26:7 38:25
50:4,10
63:12,17
76:17 82:14,
18 84:23
89:12 118:14
125:10
127:21
128:21 133:6
134:2,4
135:16,23
136:6,16
139:19
146:24
160:25 172:2
179:25
181:10
183:22
196:24 207:8
220:6 226:9
234:11 237:5
239:7 242:7
259:13 261:2
284:2 285:16
292:4 294:14
298:19 303:8,
18 305:25
306:14 313:5,
6 316:5,6

plenty 87:22

plug 116:1

plumbing
229:24

plus 16:8
122:16

pocket 110:21
111:7

point 45:12,

19 46:15 90:1
95:21 98:17
100:7,25
101:6,10
102:6 107:12,
14 109:8
113:13,18
114:11
116:25 120:4
121:24 136:2
137:3 145:12,
19 169:23
170:4 214:6
224:2 227:1
228:2,3,4
229:7 260:23
262:14 264:2

pointed 44:16
87:24 96:13
97:13 101:21
103:9 210:7
286:16

points 71:7
140:7 168:14
201:15 210:4

policies 19:24
53:20 66:22
154:12

policy 17:25
21:18 25:20
42:4,5 49:11,
12 52:9 58:21
64:11 73:7
85:9 120:8,9,
12 226:19,21
227:7 267:10
272:1

Polsinelli
6:23

pool 13:4
30:10 77:12
133:11

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

190:21 192:5 194:8 195:1

poor 104:20

population 287:8,22,25

portfolio 205:2

portion 163:2 216:19 239:25 313:18,22,24 314:1 316:22, 25 317:4,7

portions 306:25 307:3

pose 112:20

posed 126:17

poses 190:17

posing 117:25

position 32:23 33:2 34:2 86:24 104:22 122:7 123:21 128:1 144:12 156:4, 7 164:4,6,8, 11 172:6 180:1 200:19 201:16 245:20 270:1 280:24 286:13

positioned 13:24 19:6 52:24 271:13, 19

positions 17:15

positive 20:21,24 48:1,20,25 109:25 151:4, 13 252:4,13, 24 253:1,9,19 254:10 257:20

possibility 93:9

possible 48:20,25 103:16 123:20 163:10 242:3

possibly 86:25

postconstruction 114:6 157:19

potential 13:9 26:25 27:2 30:10,14 31:2 37:5 65:10 68:11 82:24 148:18 163:10 173:24 176:17 190:13 195:19 210:9 219:23 241:23 253:1 265:14 270:2 283:14 286:25 290:25

potentially 31:20 32:14, 21 73:14 88:8 122:12 125:23

146:25 150:11 163:13 173:23 192:2 210:10 224:25 264:20

pouring 288:18

power 11:24 13:4 16:19 18:6 27:12,23 31:2 54:5,8 56:1 61:20 65:16 100:15, 16 108:11,14, 22 109:8,16 111:10 114:8, 24 115:2 117:21 123:6, 13 133:11 151:14 156:2 157:4,20 185:21 187:12,23 192:5 194:8 195:1 201:9 260:12 297:7 298:10,21 308:10,25

Powerpoint 9:13 19:12 145:12

powers 27:9

practical 49:11

practically 15:18 20:14

practice 131:22 134:7, 15 188:15

190:13

practices 20:16 114:15

Praxair 37:9

pre 292:14

precedent 19:25 21:18

precisely 25:19

precludes 20:24

preconstruction 114:6 157:19

predicated 65:11

predictable 54:13

prefer 125:18

preference 216:20

prefiled 11:22 14:25 19:17 23:17 62:21 67:1,7,18 126:5,6

preliminary 4:20 9:1 90:6

premarked 7:12 292:24 304:3

premise 68:2 241:22 252:8

premised 227:17

premium 71:9 97:10

prepare 128:4 207:16

prepared 144:4

presence 118:8

present 4:15 18:18 39:5,25 63:22

presentation 145:12 169:1

presentations 148:11

presented 89:22 274:4

presenting 71:15 148:9

presents 54:2

preserving 52:6

president 17:23 128:2

presiding 4:13 51:2

press 271:9

pressed 269:3

pressing 70:12

presumably 309:6

pretty 43:4 47:4 86:19 87:25 116:9 133:5 159:8 179:12 251:5, 18

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

prevent 14:16
35:10 37:25
104:8,12
107:11
123:22

preventing
25:9 256:16,
18

prevents
78:15

previous
42:14 210:13
232:1 285:14,
19

previously
163:20
183:15
207:17
306:21

price 22:11
133:16 246:3,
7 247:21
248:9,16,21
249:5 285:21
294:9 298:17,
22,24 299:18,
19,23 300:8,
9,12 301:16,
23 302:6,10,
11

prices 93:16,
19,25 245:23,
24 246:25
247:5,12,15
294:11,12,19,
20,23 295:1,
6,16 299:20
301:14,15,24
302:2,14

pricing 17:8
22:17 32:22

33:8 34:18
70:15 71:2
99:5 134:19
135:17,24
136:7 190:9
194:3,4,12

primary 82:21
194:8

principal
71:18

principle
142:13,16
252:16
262:16
272:11

principles
48:15 241:1

Pringle 5:14
7:21 11:14,
16,19 26:11
126:4,11,18,
20 129:24
130:3,22,25
131:7 173:5,7
176:12,14
177:19
180:25 181:2,
4 182:19
183:14 184:1,
16 186:3,11,
19,21 187:8
189:18,19
193:16
206:13,14,23
217:11,14
219:13 224:1
258:5,6,8,13
290:18 291:6,
11 292:1
293:2 301:6,9
302:17,24
303:7,9,15

304:15
305:16

print 27:14

prior 33:18
62:11 91:3
251:7 254:12
255:10
262:18

priorities
42:5,12 43:21
44:5

priority 16:23

private 72:9
73:4

privilege
168:8

privileges
27:20

proactive
50:24

probably 87:2
113:3 117:22
123:25
132:14
134:11 166:9
214:7 250:21
254:21
290:11

probe 296:10

problem
11:19 65:14
98:15 109:22
110:3 111:8
124:19
153:17
235:17
275:22

problematic
219:8

problems
95:3 96:9
113:4

procedures
57:21

proceed
10:14 127:14
131:10
179:17 181:1
303:7

proceeding
18:19 20:13
24:20 50:16
82:21 144:24,
25 166:17
167:13,22
189:13

proceedings
4:2 56:25
57:2,6 62:22
168:16

process
22:19 53:9
121:20 147:9,
21 154:3
160:4 163:14
203:4 239:23,
24 256:24
257:1,9 263:5
289:16

processes
21:9 57:21
169:4,8

procure
83:18,21,23

procurement
16:17

produce
99:13 178:25
186:17 243:2

295:14 298:3
300:4

produced
298:7

produces
81:5 234:17

product 89:21
192:7 194:6,
9,11 195:16

production
238:4 247:5,
9,13 248:10,
17,23,24
293:25 294:3,
12,21 295:2,
10,18,19
296:5,12,13,
16,18,21
299:2 300:10,
12,13 301:17
302:4

products
99:12

professional
292:11

profit 100:11
107:9 118:24

profitability
99:3

profits 97:10
98:23

profound
39:8,17 115:7

program
117:14 118:6
153:20,23
154:6 160:6
199:9,11,13
200:5,9
202:21 203:1,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

7,18,24
205:19,23
275:6

programs
24:24 52:1
117:17
199:14,16,18
200:12,19,22
201:4,8
204:25

project 94:15
159:24 160:2,
15 161:8
174:8,9,10,
11,12 175:8
177:7,11

project-level
166:1,7

projected
14:11 35:5
147:17

projecting
147:16

projection
53:19

projections
34:16 53:24
234:24

projects
16:23 89:1
148:22
149:17
152:11 154:8
160:13
173:22,24
174:4

promise
127:9 171:17
179:12

promote

44:19 272:11
274:11,12
277:11

promoting
42:21

proof 124:11

proper 125:22
184:13

properly
268:11

proportion
240:8

proposal
15:7,11 19:3,
5,21,23 20:2,
8,11,14 22:10
23:16 24:20,
22 25:16
34:2,4 41:3,4
42:21 44:3
45:1,11,17,25
46:25 47:12
48:7 49:5,8
56:16,17,23
58:20 59:20
60:7 61:6
67:4,13,14,
19,22,23
69:19,20
70:12,19
71:1,2 73:9
123:2,3
134:21 139:2
145:13,21
194:14
212:10,16,18
213:5,6,20
214:10,17,21
215:24
216:14
218:19 219:9
220:22 221:7

252:23 254:7,
9 256:9
257:10,14,22
258:1,4
283:10
286:12

proposal's
214:1

proposals
43:7,18 47:16
66:16,18
70:15,16,23
71:11 123:7
153:7 218:20

propose
215:13

proposed
18:23 29:21
30:19 31:22,
23 34:11 59:8
60:1,14 69:24
73:16 98:9
114:7 117:9
120:16 122:9,
16 124:23
138:22
139:10
145:17
146:18,20
156:1 190:8
192:5 199:10
202:21 212:9
213:4,5,9,23
214:14 215:7,
25 217:1,2
218:8,9
220:21
227:24 243:8
246:8,14
260:12
263:17 281:4,
9,18

proposes
21:12 32:7
65:22 66:5
67:3 146:24

proposing
47:25 123:18
215:16
256:12

propriety
270:1

prosperity
42:8 51:18

protect 16:12
69:17 78:11

protected
59:15

protecting
17:12 79:16
168:7

protection
191:8

protections
15:22 25:13
58:16 62:15
65:22 66:3,5,
11,13 67:3,5,
8 69:23,25
70:4 78:7,10
101:15,17,24
122:12
123:12,16
146:11
274:18 289:3

protective
16:5

protects
61:15 78:22

protocols
195:17

proud 77:14

proudly 77:5

provide 21:5
24:5 33:22
38:5 39:10
45:22 46:11
48:21 51:5
54:9 55:6,23
59:8 78:19
83:17 85:17
93:8 113:24
118:15 139:6,
9 156:10
157:13,16
158:8 161:12,
23 163:1
174:8,14,21
178:6 189:11
222:6 237:25
239:10
260:10
262:19 275:5
283:16,17
295:23

provided 23:5
35:18 46:11
50:25 85:3
147:25 148:3
149:25
150:20
156:17,18
161:10 162:2,
3 163:14
166:2,6
173:23 174:2,
3,6 177:9
214:1,3,9
225:14
236:22
262:25 264:6
273:14,15

provides 79:9

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

83:14,22 84:6
85:14,15
252:4,18

providing
34:7 42:22
51:25 55:15
79:1,17
115:22
160:11
161:19
185:20 283:9

province
150:25

provision
104:1 158:7
159:22,25
167:6 281:24

provisions
27:25 35:4
37:22 57:15
59:16,18
65:25 66:1
78:24 79:20
146:10 262:7,
14,21 267:4
270:9 276:9

proxy 239:4,
10,13

prudent 25:19
36:20

PSC 39:9

public 5:17
25:20 26:15
38:19 48:15
65:6 72:6
73:5,10 77:23
79:21 81:17
86:15,22
88:25 143:15
161:3 173:12
174:11

176:10
177:22
189:23
193:14,19
198:25
202:14 204:6
207:13
208:11 211:2
252:9 264:22
267:19
274:11,12,13,
16 275:13,14,
16 276:21
277:11
278:24
290:14
292:10 293:8
303:24
304:21
306:18
307:13
313:10,14
314:8 316:9,
14 317:24

publicly 81:13
162:22,25
163:5,12

published
34:14 81:10
184:4 188:6

pull 146:14
190:18

pulled 107:21

pulling
130:22

pump 88:12

purchase
108:11,14,22
109:8,16
133:10
154:18 297:7

298:10
308:10,25

Purchasing
279:14

purpose
184:24
228:17

purposes
17:21 19:20
60:8 195:5

pursuant
262:2

pursues
40:24

push 146:14

pushback
98:6

put 45:1 46:19
49:20 65:7
83:9 100:19
104:2 107:15,
18 110:10
112:1,10
115:20 117:6
119:11
123:14
124:22
148:16
157:17 158:4
162:12 164:6
219:1 231:23,
24 232:21
235:24
243:13
286:23

puts 42:9
46:24 162:9
289:22

putting 71:6
272:5 290:6

Q

qualifiers
155:11

qualify 136:24

quality 157:4

quantity 23:5
298:9

quarter 13:16

question 30:5
31:14 34:19
36:2 70:6
80:20 81:2
87:19 89:14
102:5 112:20
118:23
122:19
123:15
124:21 125:1
126:17
132:14,15
138:6 139:23
140:18,22
141:1 156:22
164:12,18
166:4,9
167:18
170:22,25
178:12
208:23
209:15
213:12 215:7
216:22 218:3,
5,17 222:8
228:14 239:8
245:8,9,11
253:6,7,22
261:5,8
271:16
283:22 285:7
288:4 294:14

298:19

questioning
145:10

questions
17:22 19:19
30:1 38:5,13,
15,18 50:1,9
62:25 63:6
64:12 70:17
73:21,23 74:3
76:6,11 84:17
86:9,12
107:25
118:13
119:19
121:10 125:4
128:15 130:9
132:22
142:18 145:3,
5 164:20,25
165:3 168:5,
25 169:16
171:7 172:17
173:9,13,15
175:20,22,23,
25 176:2,5,8
177:20,23
178:9 180:9
182:22
186:16 187:4
189:18,24,25
192:23,24
193:2,5,8,12,
16,20 195:21
197:11
198:21,23
199:1,3
201:19,21,22,
24 202:2,5,9
204:2,7
208:3,21
211:3,6,18,
20,23 229:18

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

259:14 271:4, 10 282:21,23, 25 283:6,21 284:25 290:16 291:2 293:9,13,15, 17 297:12 300:25 301:2 304:22 305:1, 4,7,10,12,14, 15 307:2,25 309:17,22,24 310:1,7 312:1,4,6 314:9,16,18, 21,23 315:1,2 317:1,25 318:1,6,8,10, 13,15,17,18

queue 16:19 66:6 148:14, 24 160:19 173:25

quick 63:24 101:25 103:19 105:3 132:22 133:5 170:12 203:22 290:19 307:24 308:20

quicker 139:17

quickly 248:19 257:16 260:4

quite 43:15 65:10 86:25 90:2 159:22 209:17 216:8 234:15

235:24 284:6

quote 14:8,19 20:21 21:14 42:9,16,18,24 44:7 45:9 49:21,24 99:9 181:14,15 187:18 207:23

R

R&d 97:17

R-U-B-E-N-S-T-E-I-N 82:16

radical 25:17

raise 127:9 171:16 206:18 291:15 305:25 312:15 315:13

raised 53:25 81:3 245:7

raises 64:13 226:16

raising 96:8 115:15

Ramirez 71:19

ramp 16:8 48:2 61:18 149:5 174:6, 17 177:7,11 259:3,4

ran 216:8 262:12

randomized

177:10

range 209:1 276:7

rapidly 87:14

rate 11:25 14:23 15:1,17 16:4 17:10, 15,24 18:15 21:1,5,8,11 22:11 25:3,6 27:3 29:2 30:15,17,22, 23,25 31:8, 10,22,23,25 32:5 33:1,13, 18 35:17,21 36:8 37:1 47:23 53:14 58:9 60:2,5 68:17 75:2,7 78:6,8,11 79:6 82:24 84:9 85:15 87:12 91:8 97:20 100:22 102:11,17 103:2 107:8 108:10,13 109:7 110:12, 16,19 117:17 120:6 131:24 132:4,8 133:4,7,14, 18,20,25 134:3 135:3, 7,9 136:8,10, 18,20,22,24 142:23 143:5 144:9,10,14, 15,23,25 151:7,8,11,22 167:3,8 169:6 205:8 213:22

222:25 223:5, 6 225:6 227:23 233:22 234:6 236:22 239:4 240:1,4,5,12, 13,14,15,19 242:13,21,23 243:6,8,21 249:19,21 250:4,7,20 251:7,18 252:9 254:12, 19 255:8 256:15,17 257:2,14,15, 19,21 263:21 267:16,17 268:6 275:6,9 276:17 277:3 278:22 280:19,20,21 283:25 284:4 285:13,15,18, 19 290:1 294:1,4 295:12 308:2, 8 309:9

rate-making 20:15

ratemaking 47:19 59:3 169:4,8,18 170:8 171:4

rates 14:14,17 22:22 27:15, 18 29:20 30:6,7 31:15 33:16 35:8, 10,15,22 36:11,17 37:23 38:1 39:11,12,13

41:17,20,24 43:25 44:1,12 46:5 57:16 59:25 60:10 62:16 68:8 74:25 91:6,20 93:10,21 94:4 104:6,8 107:9 108:10,19 109:7,9 110:10 132:11 144:9 147:18 190:11 215:9 238:21 239:5, 11,17,21 240:20,22 241:3,16 243:18 247:2 249:16 250:1, 2,14 251:11 256:19 257:7, 9 274:8 275:10,18,19, 20 276:23,25 277:10 308:2, 4,15,23

rather 18:24 24:20 32:9 66:2 109:4 111:21 133:25 174:8 246:17 247:17 282:4, 17

rationale 33:2

reach 68:22, 23 103:15 168:15,17 185:3

reached 57:4 69:2 72:23

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

80:12 137:20 210:8 244:18

read 44:24 65:8 133:7 134:4,6,14 135:23 136:4, 7,16,17 139:25 140:8 168:10 183:11,24 184:7,19 187:2,9,14,24 188:3 200:21 208:24 209:22 221:21 227:9, 19 228:20,21, 23 234:14 260:9 261:5,9 264:17 265:6 266:24 278:10 279:10 280:24

readily 34:16 114:13

reading 133:5 154:25 155:9, 13

reads 155:6

ready 37:19 86:16 206:16, 24 306:7

real 93:8 97:1 100:20 121:9 144:6 147:10 149:12,15 151:4 170:12

real-world 20:7

realistic 101:17 148:13,14

reality 97:7 100:12 230:9

realize 65:4 150:22 231:3

realized 65:13

really 33:15 39:5 43:12 49:8 72:13,21 81:1,6 87:9, 18 88:4,18,21 90:10 91:24 95:14 98:14 101:6,25 102:2 103:13, 19 104:11,15 107:2 108:4 114:10,23 115:24 116:16 118:18 119:20 120:7 146:17 150:24 156:23 157:10 159:25 160:12 164:12 184:8 243:17 247:6, 12 251:24 257:16 308:20

reason 48:13 64:15 91:21 101:22 117:7 119:14 126:14 153:8 156:11 158:1, 9 159:23

162:4,23 220:16 236:5 252:17

reasonable 21:25 28:5 30:15 33:11 39:12 42:22 43:24 44:1 66:11,22 67:9 69:13 70:9 72:25 79:1 161:21 274:9, 18 275:8 277:9

reasonably 14:11,13 15:25 25:7 35:5,7 37:23 41:14 46:5 70:4 104:3 241:3,9 274:23

reasons 48:6, 22,24 83:4 84:11 149:2 162:18 164:9

reboots 10:17

rebuttal 29:10 67:18 126:1, 5,6 140:1,11 147:24 207:16 208:12,15 209:23 212:12 226:1, 10 234:8 244:9 260:7, 20 264:12 266:23 292:13,18,23 304:2,7 313:13,18

316:13

rec 199:16

recall 138:20 158:25 161:13 164:1 165:24 166:12 169:2 176:17 178:19 202:22 204:16 296:9 297:15,25 298:11

receipt 182:5

receive 25:2 215:23

received 125:6 169:16 174:4 263:19

receives 185:6 186:13

receiving 161:22 248:16

recent 42:11, 15 81:17 93:14

recently 52:12 55:10 56:7 61:19

recession 288:20

recognize 26:25 36:13 49:3 58:4 80:6 149:16 230:9

recognizes 43:1 53:18,24

recognizing 66:6 79:19 134:23

recollection 138:12 210:22 221:22

recommend 124:20 200:22 270:8 277:19 280:18 283:25

recommendati on 18:23 23:14 30:22 31:4 38:6 103:10 107:2 182:25 184:5 257:6 284:4,9 286:4,15 292:13,18,23 304:2,7 306:20 313:13,18,24 314:5 316:13, 22 317:4,14

recommendati ons 23:19 67:6 107:19, 20 124:22 188:11 200:21 281:23

recommended 30:22,23 34:12 119:22

recommendin g 273:20 280:2

recommends

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

22:7,16 23:4
28:20 61:4
278:2 311:8

reconcile
155:2

reconciled
43:8

record 8:4,14
11:13 15:16
42:20 56:20
86:20 125:10
127:22
129:19
169:24 173:5
174:19
178:21 186:4
196:24 207:9
208:11 220:4
292:5 293:5
303:19
304:18
306:15
307:25 313:6
316:6

recording
95:10

recover 242:3

recovered
68:1 108:25
144:13
227:22
309:14

recovering
17:5

recovery 79:1
135:6 283:25
284:1,4,5,10

recross
160:24 161:1,
3 164:22,23

165:13
192:24
201:22 204:5
282:23,24
283:1

**RECROSS-
EXAMINATIO
N** 161:5

recs 199:22
200:3,4

red 186:24
188:2

redirect
164:25 165:8,
22 177:24
178:1 193:22,
24 204:8,11
283:2,4,6,7
301:5,8
305:15 312:7,
8 315:2
318:19

redline 139:6
214:3 273:13,
16,17

redlines
273:14

reduce 59:22
62:5,7 111:19
232:11 233:3
254:23

reduced
152:2 153:9
232:13

reducing
229:16

reduction
16:11 62:10
110:24
117:15

147:18 152:6,
10 153:1
187:14,20

reductions
57:14 59:19
62:11

redwell 129:3

refer 12:8
114:20
209:20
212:18 267:2
278:12,13

reference
181:17

referenced
91:8 142:2

references
121:25

referred 11:25

referring 10:3
184:5 212:10

refers 195:15

reflect 14:14
32:6 35:8
37:23 39:12
62:16 68:20
104:6 238:25
241:4,9 251:9

reflected
107:9 209:3
213:20

reflecting
14:17 35:11
38:1 41:4
104:9

reflective
239:20
249:15

reflects 45:4
46:3 66:12
67:5 245:22
246:6

reforms 16:19

refresh
221:22

refund 132:5,
7 159:22,24

refundable
16:21

refunds
144:21

regard 120:10

regarding
18:24 24:17,
24 27:7 52:8
63:1 95:9
97:22 114:12
138:21
163:18,24
168:6 252:23
258:25

regardless
250:8

region 52:9

regional
187:9

registered
182:7,9,10,12
185:3,6,10
187:10
188:21

registering
22:16

regular
257:13

regulate

157:12

regulated
270:2 277:10

regulation
40:25 48:16
82:22 87:11
287:1

regulations
12:4 17:3,4
24:13 27:18,
24 28:2

regulator
48:25 156:7

regulators
54:3 66:15

regulatory
4:3,13 5:11,
16,19,24 6:9,
16,19,24 7:5,
9 8:6,17,22,
25 9:9,16,18
10:6,16,20
11:4,8 17:23
18:13 19:25
20:21,25
21:15,17,19
26:3 29:1
36:7,24
38:17,22 41:2
42:23 48:1,
10,14,20
50:3,8 52:9,
19,23 58:21
60:5 63:5,11
71:22 73:22
76:9,13 79:9,
17 82:5,9,12
84:16,20
86:11,14
109:25 110:1,
3 121:7 122:3
125:3,15,25

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

126:8,22,24
127:2,6,8,13
128:2,22
129:5,9,13,
16,23 130:2,
5,11,20,24
131:5,9 136:3
142:21 143:6,
9,13,19,22
144:19 145:4
151:5,13
158:19
160:23 161:2
164:21 165:5,
7,10,15,19
168:1 169:25
170:14,17
171:9,13
172:22 173:3,
11,14 174:25
175:4,16
176:1,3,6,9
177:21,24
178:23 179:2,
10,16 180:15,
20,25 183:4,
22 184:12
186:7,15
187:6 189:17,
22,25 192:22
193:3,6,10,
13,18,21
194:22 195:4,
22 196:1,6,
11,15 197:19,
23 198:6,20,
24 199:2,5
201:20 202:1,
3,7,10,13
204:5,8
206:7,11,17,
22 208:13
209:16 211:1,
5,12,15,19,

21,24 218:1
219:15 222:9
224:4 226:5
229:13
230:25
251:10,13,16,
20 252:4,7,8,
13,17,24
253:2,9
254:10,15,19
255:11,13
256:10,16
257:20
258:11
259:15,18
263:23
268:25
270:24 271:6
280:8 282:22
283:3 285:1
291:4,9,14,19
293:7,11,14,
16,18 301:1,4
302:19 303:1,
5,8 304:20,23
305:3,6,8,11,
13,17,24
306:2,6,19
307:12
309:19,23,25
310:2 312:2,
5,9,14,19
314:7,11,15,
17,19,22,25
315:4,8,13,18
317:15,23
318:3,7,9,11,
14,16,21

reimburse
21:10 131:23
169:5

reinvest
97:15

reiterate
37:15

reiterated
142:10

reject 23:14
28:21 29:4
61:5 68:9

rejected 8:1
36:20 194:15
195:20

related 12:2
18:11 46:18
187:21

relating 27:18
151:25

relationship
68:6

relationships
204:23

relatively
105:3

release 271:9

relevance
136:2 217:11
230:16

relevant
47:24 189:13
217:24

reliability
24:16 54:22
115:19
181:15,19,22,
25 182:25
184:18 188:3

reliable 52:22
222:3,14
271:14 272:2

relied 263:15

relief 8:3

relieve 178:19

rely 246:25

remain 19:10
43:19

remaining
37:1 62:3,14
90:6

remains
37:19

remarks 86:9

remember
159:4 178:5
217:6 218:5
219:17,20
220:1 246:15,
16 256:13
273:18
283:12,21
297:14,22,24

remind 9:1
151:16

reminder
198:14

reminds
122:20

remove
283:25 284:4

rendering
88:5

renew 5:24
6:8 12:12
28:10 84:21,
24 85:20
129:19
165:19 176:9
186:5 193:13
199:15,21
202:10

211:24
277:16
293:18 305:8
310:2 314:19
318:11

Renew's 85:5

renewable
24:24 59:23
61:5 78:18,20
85:4 86:5
154:1,3
199:14 200:6,
12 205:1

renewed
129:23

rent 92:4,6,
17,20,22

renting 92:1

repeat 220:6
237:5 239:7
242:7 284:2
285:7,16
294:14
298:19

repeatedly
45:18,19

repeating
35:24 56:21

replace 61:7
96:23 230:12,
13 231:6,8
233:2

replaced
232:5

report 18:22
81:9,11 97:13
98:18 115:4
157:23 158:4
169:13 175:9
212:12 226:2,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

10 228:16,20, 22,23 229:1 232:18 234:9 244:9 245:12, 22 246:6 262:9,18 263:2 269:14, 21 273:3 292:14,18,23 293:4 304:3 313:13,18 316:13

reported 158:11

reporter 6:1,4 10:24 11:5,9, 15,17 26:1,4 50:5,11 63:12 82:14 126:12, 19,23 131:12 134:10 170:11,15,19, 21,23 173:6 179:8 196:3, 5,8 198:13, 14,17 217:12 230:19,23 253:24 254:3 258:6,10 260:25 285:2, 5

Reporter's 95:10 254:1

reporting 79:4 81:3,17 114:7 156:13 157:20 161:9 189:2

reports 81:6, 8,17 99:23 156:17 157:25 158:2,

12,13 163:1 169:10 304:7, 17

represent 10:1 39:2 50:15 64:20 75:20 79:20 82:19

representative 14:15 17:14 18:9 25:9 35:8 37:24 59:11 104:7

represented 57:9 138:8 279:8

representing 5:14 26:9,12 63:18,21

represents 64:2 68:25 76:23 77:19 308:9,14

reputation 96:16

request 7:25 8:15,18 11:23 34:9 64:7,17 79:18 134:21 143:2 159:17 175:6 185:19 194:20 195:14,16 201:2 228:13 245:11

requested 55:23 258:16

requesting 17:1 66:7 284:15

requests 12:6 25:22 34:19 36:6 84:12 104:20 134:16 157:18 258:18

require 16:25 27:12 28:25 36:6,19 40:25 62:13 78:6 99:17 100:16 115:20 116:11 163:13 192:13,14 227:21 230:14 231:9, 25 251:6

required 23:23 60:3 157:3 169:5 250:14 267:20

requirement 35:20 60:21 106:12 161:22 237:2, 7,12,15 238:1,8,22 239:9 240:1, 13,21,24 241:5,20,24 243:4 246:22, 24 249:12,13, 14 250:15,17 251:8 254:23 255:10 267:24 268:19 270:21 295:22 296:6 300:11

requirements 16:15 47:23 57:13,16,19, 25 59:18 66:17 78:11, 21 79:5 85:18 105:5 152:19 154:4,16 181:14 200:20 237:18 238:14,24 239:3 246:20 249:25 266:18 268:5 283:20

requires 35:3 39:9 41:14 42:24 53:7 99:11 131:22 161:16 182:4 225:15 250:6, 25

requiring 21:9 24:1 43:23 123:22 191:12

research 20:5 56:2

resembles 69:1

reserve 159:18

reset 251:11

residences 235:16

residential 89:5 235:22 236:18

residentials

275:20

residents 115:6

resilient 222:3,14

resolution 18:19 19:11 39:7,14 64:11 70:10

resolve 83:2

resolved 141:17

resorting 34:17

resource 60:20 68:17 114:15 134:20 182:14 188:19 191:5, 23 192:15 199:25 202:25 203:5, 12,15,18

resource's 295:25

resources 52:6 190:21 191:3 199:18 203:15 263:2 266:13 295:24 313:11 316:10

respect 17:16 27:9 122:25 203:23

respectful 162:21

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

respectfully
25:22 79:18
84:12

respects
60:13

respond
185:7,11
230:17

responded
189:9

responding
62:25 191:20

responds
17:10

response
14:20 16:16
57:23 161:11
165:3 166:6
169:16
173:24
176:18 177:6
178:3,7
185:14
190:10,12
191:14,23
192:13
290:24,25

responses
189:12

responsibilitie
s 68:16

responsibility
16:25 267:14
272:11

responsible
12:20 245:19
295:18

responsibly
51:7

responsive
125:23

rest 120:2
236:11 268:5,
6 290:1

restart 10:13

restrict 21:24
33:4

restricting
23:5

restriction
167:12,20

result 19:9
20:11 28:16
53:9 59:5
77:22 97:2
98:5 102:18
159:7 190:10

resulted 77:3

resulting 33:1
187:12

results
295:20,23
296:5

retail 68:20
237:2,6,14,18
238:14 247:1

retain 284:15

retained 35:1,
19 36:1

retiring 18:4

retroactive
169:18 170:8
171:3

retroactively
75:10

return 21:11

98:21 99:14
131:24 132:4,
9 169:6
222:18 223:5,
7,10,15,21
256:21

returned
144:14

revenue 21:3,
7,14 31:8
35:18,20 36:3
47:23 68:12
85:18 91:8
97:18 99:17,
19 109:20
111:5 169:3
237:2,6,12,
14,18 238:1,
8,14,21,24
239:3,9,25
240:12,21,24
241:5,19,24
242:4,12
243:4,9
246:19,22,23,
24 249:12,14,
24 250:15,17
251:8 254:23
255:10
295:22 296:6,
19 300:11
310:8

revenues
25:4 28:25
34:24,25
35:25 36:1,7
47:20 65:2
67:24 68:5,7
69:16 91:13
109:24
110:19,22
111:9 131:23
132:8 144:12

243:2 253:11,
14 254:12,24
255:9 256:3
257:12
284:16
296:24 297:2
300:19

review 9:11
10:10 97:4
125:20,23
152:7 176:21
184:10 244:8,
13,15 245:16,
18 272:20
308:11

reviewed 20:9
32:1 152:8
186:12
246:10

reviews
186:14

revised 27:5
31:16,17

revision
194:19
195:14,16

reward 78:12

rewards
119:4

rid 255:12
269:15

right 5:2,6
9:12 31:14
36:12 68:14
76:25 79:15
82:2 89:3,7,
11 90:15 91:3
92:1 93:1,14
96:8 100:9
103:17 108:3

109:15 110:8
113:10 115:1
118:1,7
126:11,22
127:9 130:11,
23 131:6
137:25
143:13 144:7
151:19
159:19
161:19
163:18 164:8,
19 165:10
166:22 170:6
171:16
176:25 179:2
180:15
182:18 184:8
186:19,22
188:23
189:15
206:11,15,18,
25 208:9,19,
23 209:19
212:14
213:17 221:3,
9 223:2,11,25
224:17 225:9,
23 227:14
228:11 229:9
232:12 233:5
236:8,23
237:15,20,23
238:6,9,12,
16,22 239:12,
17,21 240:9
241:10 242:1,
15,20 243:23
244:3,6
245:17,24
246:1,4 247:7
248:1,3,7,18,
25 249:3,17
250:1,3,19,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

20,25 251:1
252:15,21
253:7 254:16,
25 255:4,17,
19,24 259:10
261:9,17
262:14
263:18 264:6,
23 265:4,21
266:8,21
267:7,21
269:9 272:12
273:19,24
274:11 276:5
277:11,20
278:4 280:4,
14 281:10,14
284:8,12
286:20
289:14 291:7,
15 293:7
294:1,21,23
295:2,7,14,22
296:19 297:1,
11 299:15,18,
24 300:1,16
305:25
307:12,24
308:19
310:18
311:13,14,16,
18,23 312:5,
15 315:14
318:3

rightly 96:15

rights 13:10
227:23

rightsizing
31:19

ring 46:8

rise 93:22,25

rising 93:16

risk 40:22
45:9 53:12
65:17 66:24
67:16 78:12
83:13 93:21
95:11,19 97:1
100:17,20
101:5,14
115:8 117:25
118:2,4
162:11 261:7
284:10

risk-averse
44:11

risks 16:13
22:25 40:25
41:4 53:15
57:9 59:12
66:20 83:7
90:19 101:1,
20 102:22
103:19 119:4,
7 188:7
190:17
268:21 274:4
286:5,7

rivers 287:16

Rob 42:2

robust 77:11
78:9 222:3,14

ROE 144:11
151:18

role 185:13
243:25 269:7,
10,11 270:8,
12 276:4
295:25
301:13

room 62:24

138:16
173:20
182:24
201:13
229:21 230:5
231:23
232:22
276:15
277:15
288:12

rooted 31:23

rotating 55:15

roughly 99:11

round 136:25

routinely
66:22

RR 195:12

RTL 108:16

RTO 248:9
297:18

Rubber
279:11

Rubenstein
7:7 82:7,11,
13,15 84:19
165:17 176:8
193:12 202:9
211:23
293:17 305:7
310:1 314:18
318:10

Rubinstein
7:8 82:8,16,
18

rule 27:7

ruled 8:13
129:18,22

rules 12:3

16:24 17:3
24:13 27:18,
24 28:1 33:25
84:5 148:10
157:5 216:18
225:22

ruling 209:8

run 115:9
231:5 236:15
293:25
294:12
296:23

rural 287:8

rush 103:8

rushed 29:13

S

S-A-R-A-H
82:16

S-C-H-U-L-T-E
50:14

S-H-A-W-N
292:6

**S-T-A-H-L-M-
A-N** 303:21

**S-T-E-P-H-A-
N-I-E** 76:16

safe 115:22
222:6

safeguards
274:18

safety 115:18

said 44:6
45:3,9 46:21
67:12 96:22
97:24 100:18
101:10,13

107:21
117:10
119:11 121:1
131:25
141:14 142:4
162:22,24
167:15 169:2,
23,24 170:16,
17,18 175:1
183:15 189:6
204:14
205:14
219:18
220:14 221:4,
22 222:21
227:9 229:3,7
232:18,20
236:5 241:21
245:1,6 252:2
262:12 298:8
310:23,25

sake 8:14
129:19 153:8

salary 94:18,
22,23

sales 97:16
296:25 297:3
310:12,14

Salukis 248:3

Sam 99:25

Sam's 94:20

same 4:25
43:20 49:5,8
70:6 73:11
87:25 91:10
102:20
119:16
129:25
130:12
141:21
172:18 180:5,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

9,10,11
181:18
191:18 197:1,
13 200:13,14
208:2,4
209:20
220:21
229:16
230:13
232:11,15
233:4,19
235:4,18,21
242:3 252:17
255:7 256:1
280:19 287:1,
4 292:12
294:25
298:23 299:9
304:1 307:2,4
313:12,23
316:12,17
317:1,3

SAP 310:9,11

Sarah 7:8
29:9 38:12
67:19 82:8,
15,18 262:12
285:25 286:1

satisfies 25:7

save 76:5
232:4

savings 97:15
226:17

saw 184:4
289:13

say 11:2
43:17 56:22
69:5 74:12
101:23,25
102:25
110:14 112:5,

18 117:11,24
118:12 119:3,
15 120:21
123:8,13
124:7,11
129:17 144:4
149:4 150:13,
17 160:4
161:22 163:4
168:15
170:11 187:4
212:9 214:13
215:12,15
217:3,10
219:9 220:4,
17 222:24
231:5 242:10
246:11,20
248:22
251:21 255:7,
10 256:1
257:11 259:6
260:9 261:13
262:6 264:17
273:13
275:12,20
294:5 298:24
299:10
301:24
310:24

saying 40:20
72:21 86:23
99:24 106:18
120:10 203:5,
14 220:1
224:10 228:3,
15 252:1
268:14,16,17
276:16 299:1

says 65:8
92:5,15
100:20
111:18,23

112:1 113:12,
16,19 145:13
152:8 153:24
189:2 207:24
220:8 227:9,
15,19 234:14
269:25

SB4 262:3
267:3,4,9,20

scale 13:17
15:4 52:24
85:23 87:4
264:25

SCC 148:10
149:14 166:7

scenario
59:14

schedule
11:25 15:23
24:9 29:9
32:5 72:19
134:17 136:9,
24 142:23
143:4 177:15
278:13,14
290:23

schedules
14:9,13 27:15
35:13 37:12
104:2 273:4

school 58:12
279:17

schools 77:5
82:1

Schulte 6:21,
22 50:12,13
176:2 193:5
202:2 211:20
293:15 305:4
309:24

314:16 318:8

scope 90:11
152:11

scrutinize
36:2

seat 28:5

seated 206:23
291:20 303:6

second 48:13
51:19 78:9
83:17 87:8
88:22 90:25
109:12 123:3
126:17 133:3
164:19
186:23
191:11
234:13
253:25
259:13
266:25 273:1

secondly
41:11

section 14:2,7
18:20 19:23
22:5 25:7
27:5,8 31:16,
17 41:13
104:1 226:20
227:5,6
267:5,9

secure 59:23

secured
13:13

security 43:2
57:18 66:1
78:13

Sedalia 6:10,
13 12:13
71:25 72:10

74:14,17

see 8:16
10:19 45:23
67:1 81:4,16,
18 85:24 89:3
92:23 93:24
94:13 98:12
99:22 100:3
116:6,9 123:2
126:13
130:21
147:18
148:15 160:5
170:24
181:13 186:2,
24 188:8
189:2 213:1
215:4 227:1,
5,25 230:24
234:2,3,12,
18,19 260:14
289:24,25
290:1

seeing 98:6
264:19 265:5
319:2

seek 213:4,6,
14,15,19
219:25
220:12

seeking 148:6
227:20

seeks 44:18
239:24

seem 90:20

seems 98:18
100:8 150:10
153:6 159:8
209:14
217:24

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

seen 70:21 93:16 183:11 184:2 186:17 188:13 253:4

segregate 109:21

selected 77:10

sell 154:17 298:1

Senate 14:1, 22 31:15 35:2 37:21,22 41:12 42:23 46:20 51:1 52:13,16 225:17 267:2 269:2 270:21

sending 47:3

senior 18:2 172:7 292:11

sense 105:18 113:13 163:12 191:8 230:6

sensitive 148:5 149:2 163:7 234:15 236:6

sensitivity 162:16

sent 4:24

sentence 168:9 227:18 234:12

sentences 136:14

separate 22:17 75:21

109:21 112:13,19,23 132:11 166:20 191:4 194:12

separately 107:15 168:20,21

separating 60:8

September 4:4,5 12:7 15:15 64:7 141:13,14 142:4,6,7,8 180:7 183:3 189:7 210:9 299:6

sequentially 7:13

series 32:21 70:15 187:11 249:19 259:5

seriously 37:21

serve 14:15 17:6 30:10 32:14 35:9,16 37:25 46:13 68:4 71:5 73:11 83:9 93:4,20 95:22 104:7 105:14, 17 106:3 108:21 110:7, 9 117:16 119:1 134:20 233:16 239:1 272:21 301:14 308:25

served 26:19, 21 32:5 33:17 39:23 74:10, 15 236:19 276:8

serves 18:8 77:23 79:21

service 4:11 11:24 13:15 14:10,18 15:3 16:6 23:23 24:8 26:15 27:19 31:3 32:2 33:12,22 34:13 35:12, 16,21,23 38:2 39:10,11 41:16 44:14 46:11,13 47:19 52:22 58:1 62:17 64:17,23 65:12,16 66:7 69:14 70:14 75:12 78:15 93:8 96:2 104:10 105:7, 9 115:22 133:4,7 134:4,16 135:18,24 136:18,23 148:7 149:23, 25 155:5,8 157:21 161:22 176:10 185:21 190:19 191:1, 7 192:3 193:14 201:9 202:14 207:13

219:25 220:12 222:6 236:25 237:4 239:11,15,16, 20,24 240:5 250:9,16,19 260:12 263:20 264:22 265:11 266:8 275:21 292:10 303:24 306:18 313:10 316:9

services 6:18 12:12 27:10 40:10 76:18 165:16 176:7 193:11 202:8 211:17 279:14 293:12 304:24 309:20 314:12 318:4

servicing 21:25 33:5

serving 18:10 32:6 87:6 270:1 274:25

session 266:25

set 4:6 8:23 17:8 29:9 33:15 35:15 36:11 67:10 73:7 75:2 93:25 99:3 108:10,13,19 155:15 172:18 239:5,

11,17,20,21 241:3 248:21 249:14,16 250:17 277:9 290:5 302:4 307:25 308:3, 15,22,24

sets 144:9

setting 247:1 296:2

settlement 57:5 58:3,5, 11,14 68:23, 25 69:1,5,7,8, 10,19,24 70:9 78:22 79:12 83:12,22 84:3,4,13 123:21 137:19 139:24,25 140:3,5,15,25 141:3,12,25 142:8,10 145:14 153:12 166:16,21 167:3 168:6, 7,12 200:17 205:22 209:22,25 210:1,5,9,13, 18

seven 273:18

several 13:9 18:17 19:15 36:10 48:24 55:6 60:12 64:8,9,11 86:2 91:12 99:5 161:16 168:5 182:16

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

235:12
249:20 264:3
277:14

severe 115:5

severely
25:18 46:23

sewer 27:10

Shanna 71:19

shape 82:24

shaping
205:8

share 14:15
25:9 35:9
37:24 59:11
79:11 83:8
104:7 191:2
194:16 241:7
274:24

shared 53:11

shareholder
20:20

shareholders
31:8 36:25
117:7 252:15,
20 277:7

shares 17:14

sharing 53:12
166:12,15
249:7

Shawn 38:9
286:1 291:10,
21 292:6,12

sheer 100:15

Sheet 133:2

sheets 315:9

shift 55:20

shifted 25:10
97:14

shifting 65:18
69:18

shock 55:16

shocked
221:10

short 97:18
117:9

shortened
187:12

shortly 6:15

should 7:12
14:13 21:22
23:13,22
32:25 33:14
34:6 36:2,20
42:19 46:4,6
48:18 49:12,
14 52:13 53:8
60:1,22 61:12
68:9,18
71:10,11
73:2,8 75:11
87:19 88:1,4
91:2 101:22
102:17 103:6,
21 104:3
105:3 107:23
110:22
111:21
113:16
115:11 118:5
119:10,12
120:13,23,24
123:11
124:14
149:23
154:24 157:6
164:9 167:15,
24 209:6

216:7 217:25
222:3,15
224:17
225:23 241:3,
9 256:20
269:12
271:18,22
274:3,6,17,22
275:1,3,5,8
276:11
297:19,21
299:13

shouldn't
103:18
211:10 235:4
241:12

show 44:10
65:5 116:3,23
203:7 271:9
278:11

showed
177:11,12
265:17

showing
27:15 89:1
96:10 234:24

shown 50:23
203:11

shows 115:2,
4 116:4

sic 279:22

side 48:12
101:23
253:19
287:12,13

sides 46:6

Sierra 4:25
7:5,8 12:13
28:10 82:6,
11,19,25

83:12 84:11
165:16,17
176:7 193:11
202:8 211:21
277:16
279:19,21
293:16 305:6
309:25
314:17 318:9

sign 47:1
178:3 192:2

signals 52:9

signatories
12:10 131:3,4

signatory
30:19 77:17
85:13 138:11
277:22
278:20,24
279:1

signature
278:18

signed 13:10
44:6 46:22
80:9 106:7
267:2 270:21

significant
21:17 31:12
32:16 55:7
57:15 65:1
69:16 74:22
97:2 98:6
116:10 147:3

significantly
70:20 124:24
236:12
250:23

signing 46:20

SIL 37:12
72:20 75:11,

12 112:5
137:15
214:24

silence 7:10

similar 39:4,
25 47:4 49:3
58:3,9 60:23
84:4,5 98:8
151:12,15
205:4 208:4
216:15,18
278:2 307:4
313:23 317:3

similarities
58:14 280:10

similarly 43:1

simple 104:15
109:10 111:8
112:20 113:1
116:16
242:21
278:15,16

simpler 30:24

simply 34:14
45:8 70:24
83:9 101:14
103:7 121:2
124:7 230:4

since 22:1
26:14 68:21
178:24
227:10 293:2
296:8

single 37:6
46:9 146:6
148:21
233:22

sir 74:4
177:16
189:16 212:6

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

sit 141:19,23

site 41:16,18
52:20 77:4

sitting 85:1
125:8 288:12

situation
45:16 54:2
93:1

situations
182:4 243:11

SIUE 248:7

six 13:8 90:5
265:9,13
273:18

sixth 97:12

size 37:8 87:4
88:20 90:3
95:25 106:25
116:22 149:5
152:11
231:21 253:2

skeptical
118:17

skepticism
88:18

skilled 77:3

skin 116:23

skip 163:21
227:12

slice 90:9
191:5

slide 95:20
105:2 119:23

slight 236:17

slightly 72:3
234:4

slow 134:10
226:23

slowing 87:19

slowly 21:1
110:14

small 34:1
134:24
275:20

smaller 31:1
106:20

smart 119:21
124:18

smelter 74:6

smooth 55:16

software 97:6
99:21

solar 154:2

sold 190:20,
22

sole 275:15

solely 22:24
302:10

solicit 103:14
178:17

solicited
169:22

soliciting
170:3

solution
104:18
109:10,22
111:8 153:19
199:9 200:5
202:21,25
203:6,12,24

solutions
52:3 53:8

199:16,20,24
203:17 205:2,
19

solve 65:15
124:19

solved 109:22

some 10:11
24:23 29:3
36:21 39:5
51:5 57:20
63:24 71:6
81:3,16 85:3
88:11 102:25
106:9 114:23
116:9 126:14
132:19
135:21 139:4
141:8 142:9
147:16,18
148:25 149:7,
8,21 151:15
152:11
153:12
155:11
156:22,24
158:3 163:6
168:25
174:10
175:11 185:4
200:1,23
201:13 205:1
212:8 214:5,
6,10 215:14,
17 229:17
230:8 231:2,7
233:12
234:22
244:18
248:25
249:22
251:12 262:5
271:4,11
273:14

276:19 279:7
287:24
294:15 295:8
296:24,25
297:20,24
301:12
310:17
311:15,17

somebody
106:17

somehow
43:10 160:15
236:12

something
94:7 112:7
122:20
123:19
124:10
131:21,25
150:14
151:10,12,20
157:22 161:9
175:8,10,13
191:12,24
203:10
205:14
219:17
228:25
243:12 246:9

sometime
66:4

somewhat
43:18 212:16
214:11

somewhere
92:14

sophisticated
31:2

sophistication
15:5

sorry 6:1
30:18 98:1
99:7 102:8
123:17
126:12,15
134:9 135:25
140:20
153:15
170:14
177:19 195:2
198:16
230:24 237:5
253:25 258:8
265:22
270:18,23,24
284:2,6,7
285:6 286:1

sort 37:7
91:3,7,9
108:1 116:6
148:25
151:15
163:24

sorts 272:5
275:2

sought 93:15

sound 58:21
59:2 103:11
135:11
136:25 137:7
176:24

sounds
113:22
135:14 213:3
259:19

sourced
76:25

sourcing
113:5

Southwest
13:3 133:11

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

192:5 194:7
195:1

space 92:12,
14

spanning
77:6

speak 6:4
10:11 11:2
86:18 124:1
148:2 218:11
244:12,17
310:10

SPEAKER
164:24
175:24

speaking
57:10 184:25
185:5,15
206:14
250:13
261:12,13
294:9

special 33:18,
20 37:10,13
72:19 102:11,
17 133:14,19
135:8 136:9,
19,22 137:5
142:23 143:4
160:13

specialized
78:6

specific 13:7
19:19 67:25
121:16
130:17 153:1
182:10 191:9
199:25 245:5
270:10
299:19

specifically
27:11 41:13
45:6 55:10
56:9 57:1
61:16 74:12
79:8 87:12
101:16
122:22
148:12 149:4
222:1,12
245:8

specificity
140:21

specified
133:19 135:8

specify
133:13 149:1
212:19

spectrum
117:19

speculation
219:14
268:24

speed 70:23
71:11 160:14

spell 11:9
26:4 50:4,10
63:12 82:13
127:21 207:8
292:4 303:18
306:14 313:5
316:5

spelled 50:13
173:6 207:10

spells 235:12

spend 103:23
105:2 116:16
220:20 221:1
223:14 231:7
233:11

289:19,20

spending
97:17 99:16
289:17

spent 108:24
219:22 220:9
228:5 232:11
233:2,3,4,22,
23,25 234:3

Spirit 279:16

spitting 96:9

split 92:21
109:11

splitting 92:6

spoke 141:12,
14 142:9
201:10
204:14

sponsor
228:13

sponsored
228:16

sponsoring
130:18

SPP 13:4 17:2
18:9,12
22:17,19
24:2,16
60:17,21 61:2
113:3 133:11,
15,17 134:22
135:5 157:4
190:7,20
192:12,15
194:18
195:14,17
235:11 248:9,
20 294:20

spread 65:2

91:6 92:24
93:2

spreading
92:9 93:11

square 96:17
229:19 230:2,
3,11 231:3
232:9

square-foot
229:21 230:5
231:11

SSR 67:19,22
68:2,9 112:16

St 98:7 287:12

stability 54:21

stabilization
17:7 21:5
25:3 91:9

stabilize
55:14 84:1

staff 5:12,15
7:22 8:2
11:16 15:8
18:22 19:4,6,
17 20:1,6,19
21:12,21
22:7,16,25
23:1,4,21
26:2,9,13,24
28:13,14,18,
20,21,24
29:7,19 30:1
31:24 32:7
34:9,12,19
36:5,9,22,24
37:6,15,19,21
38:4,8 39:3
40:6 43:15
44:24 45:1,3,
10,18 46:24

47:10,25
48:11,17 49:5
58:8,22 59:2,
6 60:1,2,14
61:4,7 67:18
73:9 88:10
103:9 119:8,
11 120:25
123:17 124:5
126:18
129:25
130:13 131:6,
8,10,13
133:22,23,24
135:12,14
137:1,7,8
138:21 139:6,
9 141:10,12,
21 142:7
143:3 144:5
145:15
146:18,22
149:19
154:23 168:6,
22 169:17
173:4,8,24
174:2 176:10,
21 180:16
182:20,21
186:11,13
189:19 190:8
193:14
198:21,23
202:13
205:13
206:12 207:1
209:9 210:5,
14,17,21
212:25 213:4,
6,10,19
214:3,9,11,
13,22 215:1,
22,23,24
216:25 217:5,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

7,15 218:7,15
219:4 220:20,
23,24 221:1,8
225:10,12,15
226:1,10,16
227:6,9
228:2,4,11,
13,16 230:22
234:8 236:5,
20 237:19
244:9,18
245:20
246:11
247:13
249:21 253:5
255:3 256:18,
22 257:4,14
261:12,13
262:8,9,18,19
263:1,7,15,24
265:16,24
268:17 269:7,
10,14,20,25
270:8 273:2,
3,11,19
278:19 280:6
283:10,13,19,
24 286:2,6,
11,22 291:4,
12 292:11,13,
14,18,23,24
294:8,18
295:24,25
296:5 300:11
301:5 302:7,
17 304:3
305:21 306:7,
20 311:8
312:8,12
313:13,14,18,
24 314:4
315:9,11,19
316:13,14,18,
22 317:4,12,

14,17

staff's 19:3,7,
21,22 20:8,
11,14 22:10
23:9,14,19
24:21 25:16
30:21,23
31:4,19,21,23
38:6 43:5
44:3,9 46:3,
15 47:16,17
56:15,17,23
58:20 59:20
60:7 70:11,
13,19,25
71:2,3,7,8,10
103:10 107:1
122:9,16
124:12 125:6
142:9 145:13,
17,21 151:3,
13 200:18,20,
21 201:2,16
212:7,9,12,18
213:5 214:17,
21 215:7
216:14
218:19 219:9
225:8 228:3
229:7 237:19
244:2 245:16,
22 246:6,13
252:23 256:3,
9,12 257:10,
21,25 258:18
260:11
261:11 262:6,
21 264:8
271:20
277:22 281:4,
9,23 283:24,
25 284:3,9,21
285:9 286:4,
13,14 293:25

302:4,25
304:2

stage 116:11
272:24

stages 90:6
149:17
168:21

Stahlman
38:9 302:25
303:10,16,20,
22 304:1,14,
18 305:19

stakeholder
58:18 79:5

stakeholders
37:20 53:10
58:8 77:20
158:15
168:16 209:1
276:7,10
277:2

stand 95:1
126:5 168:9
286:5 290:20
291:13

standard 24:2
58:21 59:9
61:14 243:6

standards
58:19 63:1

standing
125:13,16,19
129:25

standpoint
42:23 192:9

stands 72:3
167:23

Stargate
94:15

stark 25:17

start 4:19 5:7
9:3 13:15
63:24 72:21
81:16 86:23
95:2 118:18
127:3 152:22
155:24
243:17 260:6
275:10
318:25

started 29:12
49:2

starting 98:12
99:22 114:22
174:16

starts 234:12

state 12:20
13:10,13 20:1
23:7,10 25:21
26:22 36:22
39:19 40:16
41:9 42:4,6,8
43:21 44:8,18
46:21 49:12,
23 50:10,23
51:10,12
52:15 64:21
65:9 73:1,13
76:24 82:13
85:11 86:1,6
98:11 106:15
118:22
120:10,13
127:21
131:21
139:24
154:16 160:3
172:2 179:25
181:13
196:24 207:8
216:20,21

217:19
225:21
243:22 263:1
264:13 266:7,
24 267:10,17
270:14 272:8,
9,10,12 275:7
287:13,14
290:5 292:4
303:18
306:14 313:5
316:5

state's 39:17
42:21 45:12
64:25 271:25

stated 159:5
271:12

statement
10:9 11:7
19:20 26:2
32:23 63:23
64:5 71:14,23
75:25 76:2,4
129:25 132:2,
6 150:19
168:25 209:5,
17 210:16
217:17 270:5

statements
9:3 43:5
56:14 63:7
104:22
131:19
149:13,14
271:11
280:24

states 12:22
20:12 24:3
32:24 47:3,7
52:24 83:20
84:7,9
107:21,22

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

118:11 187:1,
9,17,18 188:2
208:24
209:22 217:2,
23,24 218:8,
12,20,21
219:3 263:22
264:3,19
267:5

static 30:19
32:9

stating 27:23

status 85:19
174:5

statute 19:6
20:18,24
31:17,18
41:14 43:23
45:23 46:2,17
111:23 155:1,
10 250:24
251:6

statutes 27:6
33:25 46:18

statutory
17:25 44:5
167:6,12

stay 90:22
123:10
137:11,14

stays 311:11

steel 6:9,13
12:13 71:23,
25 72:9 202:7
211:16
277:15
289:22

step 22:18
174:12 219:3
240:16

Stephanie
6:17 75:20
76:16,17

steps 24:15

stick 124:15

still 18:18
19:10 21:9
59:15 90:7
92:21 97:18
122:15
167:23 168:9
169:4 225:15
242:19
251:17
269:13
290:22

stip 152:1,3
153:18
286:14

stipulated
205:22

stipulating
165:2

stipulation
8:3 12:8,9,15
14:4,5,23
15:6,9,12,15
17:9 18:1,16,
18 23:14
25:23,24
28:12,14,15,
21,24 30:20
31:6 33:15
36:5 43:19
58:2,15,17
61:13,16,21,
24 63:3 64:8,
10 71:12
72:15,20,23
73:16,20
77:18,19,25

78:9,17
79:15,19 80:8
83:1 85:13,
14,22 95:16
101:19
105:22 106:7
107:13
112:16
113:10 120:3
122:13 128:5,
13 129:1
131:3,4
133:22
135:12 137:1,
11,14,24
138:3,8,11
139:15
140:12
142:12,15
146:19
152:13
153:21
157:24 158:1
164:22
199:10
200:10
202:22
203:22
208:22,25
209:4,12
210:20 273:7
277:18 278:6,
19 280:18
281:19

stipulation's
105:23

stipulations
33:21

stocks 97:9

stop 261:2

stopping
318:24

storage 55:9

straight
110:20 111:6,
17

**straightforwar
d** 107:6

stranded
16:13 65:17
66:25 67:16
78:23 83:13
95:19 100:17
118:2

strategic 55:6

Strategies
71:18

strategy 18:8
180:3

Street 96:12,
20 98:25 99:6

strengthen
56:4 77:15

stressed
100:23

strikes 69:11
79:15

strong 49:14
77:12

stronger
101:16

strongly
39:20 113:23
118:14
119:21
201:11
204:14

struck 63:3
84:13

structure 15:2
16:3 24:23
30:15,17,22
31:22,25
45:20 52:23
85:15 133:22,
23 135:12,15
137:1,8,9
194:7 212:11
215:9,24
216:15
243:21 280:8

structured
78:2

structures
30:23 53:13
287:4

struggled
99:2

stuck 6:14

studies 23:22
24:1,4 32:2
114:8 116:12
156:1,5,8
157:6 160:10
236:25

study 16:22
113:11,12,16
116:15
161:23,24
183:1 185:24,
25 237:4

stuff 92:13
247:10

subdivision
27:25

subject 21:23
22:23 24:9
29:6 33:11
37:10 154:20,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

22 163:14
167:1 189:13
191:19 257:1
309:14

subject-
matter 185:16

submit 14:8
18:21 178:20
185:19
244:16

submitted
49:16

subscribe
153:25

subscribers
153:25 154:7
199:13

subscription
99:21

subscriptions
199:23

subsection
27:5,11,22

subsequent
141:20
144:10,15
308:7,23

subsequently
62:7

subset 297:21

subsidies
104:12
111:24 120:2

subsidization
78:15 95:11
121:5

subsidize
95:15 104:16

109:20
120:13,19

subsidized
118:2

subsidizing
109:4,5,19
120:10 268:7

subsidy 108:7
110:4 111:4,
17 112:14,19,
22 123:22

substance
49:5 69:5
177:6

substantial
40:9 65:22
78:25

substantially
180:11 208:4
307:4 313:23
317:3

substantive
23:19

substantively
145:14

substitute
45:12

such 14:14,18
21:16 24:1
27:1,20,24
28:1 30:17
35:12 37:23
38:2 46:8
60:1,3,19,21
67:9 103:6
104:3,10
118:11
161:23
167:12,20
188:15 221:1,

8 234:15
258:25 302:9

sudden 55:17

suffering
256:15

suffers 45:14

sufficient
60:19 185:2
249:25 251:8

suggest
217:20
256:14

suggested
164:17 216:7

suggesting
276:14

suggestion
81:24

suggests
24:8 226:19,
20 243:10

sum 71:4
240:22

summarize
104:14

summarizing
185:1

summary
139:9 194:25
262:20

summers
235:10

Summit
117:22

sums 42:17

Super 86:17

supervise
244:1

supervisor
216:12,13
306:19

supplemental
34:8 137:18,
23,25

supply 13:5
113:14,15,20

support 6:3
15:14 20:2
23:18 29:19
42:21 44:7
46:21 51:17,
25 54:14 56:3
58:13 67:12,
13 69:20,21
72:20 78:20
86:17 97:16
99:2 128:5
129:1 139:14
185:21
191:23
208:22
209:10,11,13
271:14 272:1

supported
29:22 58:7,11
66:22 69:9
85:21 208:25
276:6

supporting
15:14 53:20
115:13
128:13
129:20 281:3,
9

supports
39:21 45:20
66:10,11

77:18

suppose
225:8

supposed
68:3 147:14

sur 29:10

sure 11:1,4
86:20 95:6
102:3 106:4,
9,15 107:3,16
114:13
115:21
118:19 121:2,
20 132:24
133:7 134:6,
13 139:21
142:3,20
144:6 147:2,5
159:11
161:18 162:6
174:25
190:15 238:2
243:20,23
244:18,20
260:19
271:22
273:10 274:8
281:7 283:23
290:4,12
316:7

surge 64:17

surprised
166:10

surprising
70:2

surrebuttal
29:22 42:3
48:23 56:18
65:7 71:1
128:4,24
129:21

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

137:18,22
180:6,18
181:7 197:4
198:3,4,8
212:17,21
220:7,14
273:8 316:18,
23 317:1,5,8,
12,16

surrounding
12:22 91:16
95:5

surveillance
169:10,13

survey 159:11

survive
118:25

sustainability
52:4 78:21
81:9 154:13,
19

sustainable
52:2

sustained
169:25
170:16,18
219:15 224:4
229:13
258:12

sway 288:1

swear 179:11
196:11
206:18
291:15 303:1
306:2 312:15
315:14

swearing
127:5

sweet 69:23

swore 177:3

sworn 127:17
171:22
179:21
196:20 207:4
291:23
303:12
306:10
312:24
315:23

system 48:11
54:16,19
55:24 61:25
65:3 67:13
79:11 83:11,
16 108:18
118:1 120:18
187:12,23
192:11
217:21 222:2,
14,23 223:24
224:9,15,21
225:19
231:15,17,24
232:5,12
233:10,14
234:23
258:24
274:25
296:25
311:13

system's
69:20

systems
221:25 222:5
223:20
229:23
255:22
279:16

systemwide
233:20

T

T-R-A-V-I-S
173:7

tables 95:7

take 13:15
23:23 65:12
75:12 91:14
102:20 105:6
112:12
116:24
136:18,23
152:14,21
157:5 184:10
185:4 196:4,7
197:19
210:16
234:11 236:2
238:7 242:11
253:13
254:10
259:16 268:4
269:2,25
274:6 288:6
296:11,16

takeaway
290:3

taken 24:15
88:23 132:21
142:22
263:24
274:20

takers 285:22

takes 37:21
52:7 72:18
133:24
242:23

taking 33:2
34:13 49:15
85:6 152:22

194:24 195:2,
6 245:20

talent 77:12

talk 6:5 88:15
109:23,25
114:16
117:13
141:23
146:24 147:1
154:5 156:4
157:11 174:1
216:1 227:16
229:15
233:10
243:24
246:18
280:13,16

talked 95:19
98:19 99:1
103:17,18
161:8 225:17
240:2,14
243:25 244:5

talking 11:3
45:7 87:5
90:2 95:24
96:2,13 97:1
104:4 105:24
117:1 126:17
138:23
140:15 159:1
194:2,19
212:13,19
262:13
265:13 311:2

talks 96:20
97:4

target 75:2
243:9

targets 154:4

tariff 4:11
14:10 15:7,11
18:23,25
19:22 20:4,20
21:4 23:15,24
28:23 29:8,9,
16,21,25 30:9
33:15 34:15
35:4,13 36:5
37:18,22
39:24,25
45:20 47:11,
16,22 50:24
56:25 57:11
59:15 61:19
65:16 66:6,12
67:4 72:20
73:2 75:11,13
78:2 79:8
80:10,18 83:5
85:15 102:24
103:1 108:5
122:9,16
132:17,21
133:25 137:4,
5,6,10,12,15,
17 138:22
139:7 145:13,
16,17 150:14,
15,16,18
151:1,8
156:12 157:7,
17 158:16
161:15,21
162:9 163:17
167:13
181:14
195:17 212:9,
11,12 213:5
214:14,24
215:4,7,24
216:2,14,25
217:25 218:7,
11,19,21

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

220:22 221:7
260:12
261:18,23
262:2,7,14,21
263:9 270:9,
22 272:23,25
273:2,12,17,
19,21 274:1,3
275:1,5
276:6,8
277:20 278:3
280:3 281:24
286:20,21,22

tariffed 32:20

tariffs 12:2
18:21 19:8
20:6 21:22
22:6 23:9
24:20 26:20
29:11 33:1
37:10,13,20
41:15 43:12
46:4 47:3
49:22 57:5,
10,20 58:25
63:2 93:18
112:5 119:15
141:17 150:5
156:21
185:22 215:2
217:1,22
218:8,20
261:16
262:16
263:12,17,20,
25 264:3
267:6,11,15,
20,25 268:20
271:17,20,23
272:21
274:17,22
281:4,9

task 42:18
188:5 277:8
278:15,16

tasks 55:20

Tatro 39:1

tax 13:20 40:4
91:13

taxes 81:22

Taytro 5:22

team 237:7,25
238:5 244:8,
13,19,25
245:6,7,12
246:19 247:4,
6 295:17

tech 6:3,18
12:12 28:9
37:9 76:14,18
86:17 97:9
165:15 176:6
193:10 202:8
211:17
277:16 281:3
293:11
304:23
309:20
314:11 318:4

technologies
30:13 56:6

technology
13:21 55:9,
12,14 56:9
64:24 97:13

tell 80:2
100:24 102:7
127:9,17
138:4 153:11
157:22
171:17,22
177:2,3,13

179:13,21
196:12,20
202:24
203:10
206:18 207:4
220:3 224:23
225:8 228:20
247:17
273:11
279:10
288:14
291:15,23
303:2,12
306:3,10
312:15,24
315:14,23

telling 258:3

temporarily
48:1

temporary
94:9

ten 62:9,12
288:14

ten-minute
259:16

tender 130:9
173:1 180:13
197:18
198:11 293:5
304:18
307:10 314:6
317:21

term 16:7
61:17 62:3,4,
7 78:24 105:9
234:25 297:9

termination
16:12 57:15
65:24,25
107:5,7,8,12,
17

terms 21:22
28:23 32:22
33:16 34:18
39:11,13
41:5,16,24
42:14 43:22,
25 44:2,5,12,
22 47:5,15,22
57:12 59:10,
17 89:2 112:1
150:24
191:19 215:8
219:5

terrible
251:24

territories
34:14 264:22

territory
39:11 46:13
64:23 69:14
70:14 265:11,
18 266:6,8

test 237:22,23
238:16,19
250:16
294:16,17

tested 20:12

testified
23:12 127:18
164:14
167:24
171:23
179:22
196:21 207:5
270:20
291:24
303:13
306:11
312:25
315:24

testifies 24:17

testify 8:8
19:22 22:5
75:15,23,24

testimonies
197:12

testimony
7:19 8:7
11:22 14:25
15:14 18:3
19:17 21:20
23:18,22
29:10,23 30:3
38:7 42:3
44:25 45:4
48:23 56:18
62:21 65:7
67:2,7,18,20
68:22 71:1,8
81:2,12 85:3
94:13 121:23
122:1 125:21,
23 126:1,2,3
127:3 128:5,
11,16,23,25
129:1,20
137:19
139:14 140:1,
11 149:22
151:4 168:10
169:23 170:4
171:15 172:8,
15,21,23
176:21
177:15
178:12,13,16
180:6,18,22
185:20
190:15
191:10 197:2,
9,22,24
198:4,8
201:5,16
207:16,23

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

208:12,15,22
209:10,11,21,
23 212:17,21
219:19,21
220:7,14,18,
19 221:12
222:21
228:17
236:10,22
244:9,10
245:17,18
260:7,21,23
262:11 264:5
265:7 266:24
273:1,9 278:7
282:14 288:6
290:23
316:18,23
317:2,5,13,
17,18

Texas 94:16
114:3 118:11

text 227:5

than 7:19
18:24 20:3
24:21 26:21
30:24 31:2,21
32:9 37:5
40:6 66:2
70:20 72:4
77:5 85:19
89:11 94:12
97:20 99:18,
20 100:21
101:18,24
121:16
133:25
139:17 166:7
167:11 174:8
200:6,25
215:19,22
216:20 222:3,
15 227:10,11

229:24
231:16,25
232:10 234:4,
5 236:12,16
241:19,24
248:17
250:23 251:5
256:20,21
257:8 263:19
265:9 266:15
276:11,21
282:4,17
287:7 309:8

thank 5:8,21
6:19 9:11,17
11:5,17 25:24
38:15 50:8,12
62:19 63:3,8,
16 71:21,24
72:21 73:24
76:7,8,9,12,
13,15 79:22
81:25 82:2,4,
9 84:14,17,19
86:12 121:12
122:2,5,18
125:2 126:11,
23 127:4
129:5 131:11
132:16
133:21 134:2
135:11,16
142:2,18
143:1,12
146:21
147:24
149:19 151:3
154:21
155:23
158:17,21
160:21 161:1
164:20
165:14,18,21
170:15,19

171:6,12
172:12 173:3,
9,13 174:23
175:3,4,15
176:2,5,8,12
177:17,18
178:10
179:18 181:2
182:18
186:19
189:16,20,24
191:11
192:21 193:5,
9,12,16,20
195:21,25
196:17
198:17,23
199:1 201:18,
25 202:2,5,9,
12,15 204:2,
4,7,10 206:6,
9 208:2,9,13
209:19
210:23 211:3,
23 226:7,25
258:13
259:14,20
269:18
270:17 271:6
282:21 283:5
285:5 290:16
291:12 293:1,
9,15,17
300:24 301:1,
3,6 302:18,
19,23,24
303:9,22
304:14,22
305:2,4,7,12,
19 306:6
307:9,21
308:19
309:18,19,24
310:1 311:25

312:2,4,19,21
314:7,10,14,
16,18,21,24
315:3,6,7,11,
18,20 317:21
318:1,10,13,
15,20,25

Thanks 86:13
98:24 158:18
203:20
259:25
305:10

that's 5:3
40:19,24
41:1,17 43:4
45:9 47:15
48:10,22
63:14 65:21
72:1 73:9
74:11,18,21
76:16 79:19
81:1 86:3
89:21 90:14,
24 91:20 92:7
93:1 94:7,15
95:2 96:1,5,
21 99:14
102:16 103:3
104:12,17
107:13 110:2
111:7 112:13
113:15,16,20
114:17,23
115:17
116:13
117:11 119:8,
20 120:16,23,
24,25 122:15,
19 124:2,13,
25 129:3
133:3 138:14
139:5,13
143:24

144:23
148:15 150:2
151:18,20
156:9 158:17
160:22 162:4,
15,23 163:10
164:4,11
166:9,22,23,
24 174:18
175:13
177:12
181:16,20,23
182:6,8,11
184:19 185:4,
23 191:8,17,
23 192:4,5,7,
17 194:15
195:14
197:21 198:3
201:6 204:23
205:11 206:5
210:19
213:20 215:6,
20 217:8
220:17
222:19 223:1,
21 225:19,23
226:20
227:15
228:11,14,17
229:22
232:18
233:24 234:3
235:18 238:4
239:20,22
240:5,15
241:14 244:5
247:23
248:12,14
249:14,16
250:21 252:8
253:5,8,18
254:17 255:1,
4,5 257:17,

888-893-3767   Lexitas operates in all 50 states and is licensed where required.
www.lexitaslegal.com   Nevada Registration #116F - California Firm Registration #179

LEXITAS

21,25 259:7,
11,13 260:18
261:16,24
265:23
268:16,17
269:10,13,23
271:21
272:13
273:17
275:12 276:1
278:16,18
281:6,19
282:20
283:13
285:24 291:3
296:25 299:8
300:3

theater
231:24

them 7:14
10:3 17:1
43:10 46:11
48:3 61:10
83:9 86:10
92:2,9 93:11
101:12 105:2,
18 109:3,21
111:13
112:18,22,23,
25 115:12
117:8 119:2
125:11
141:14,24
150:12
154:12,15,18
159:19,20
164:23
186:14 191:3,
22 197:20
200:22,23
205:11,12
216:10
219:24

220:11 224:9
242:4 245:8
250:6,25
262:25
264:21 265:5
279:15
280:22 281:1
282:18
289:18 290:7
294:10
295:13,21
296:1 300:12,
17,18,20
310:23

themselves
86:2 121:3,4
192:10
199:19
267:19

then 35:17,21
41:23 46:16
49:17,19 60:9
85:11 88:2
91:11 93:12,
23 95:18
98:22 106:18
107:4 108:19
110:11,16,18
112:16,22
120:14 121:9
135:19
136:13
144:10 155:3
167:13
170:16,18
185:17
190:23 191:2,
5,23 198:2
219:8 221:18
225:5 227:18
240:15
248:23
250:11

252:15
253:23
254:18
256:23,24
258:22 261:8
273:7,13
275:22
279:16
295:19,21
298:3 299:12
301:24 302:2
308:1,7,23
311:9

Theoretically
243:15

theory 239:19
299:13

there's 17:5
40:22 43:12
67:23 80:15
81:8,9 91:15,
22 92:11 94:9
95:4,8,18
97:1 101:5
102:2,24
115:24
116:17 118:1,
2 119:14
121:16
130:17
149:20 150:1
152:24 155:3
156:23 162:1
163:11 167:6
185:2 194:24
212:11
225:13
232:20,21
233:18
236:17
237:24
241:23
242:16

247:15
253:10
256:16,18
266:9,11
276:10,14,22
282:25
287:20,21
288:11
294:15 309:2
311:16

thereby 93:7
251:10

therefore
17:11 23:13
44:19 70:8
125:21

these 13:3,25
15:20 17:4
24:4,14 29:3
32:3 33:8
36:16,17 37:7
40:18 48:2
55:8,19 57:20
62:15 64:20
74:24 83:8,23
84:11 85:10
86:1 90:17,21
94:24 96:8
98:13,16,19
99:12 100:8
104:23 105:2,
11,12,14
106:13
107:19,20,22
111:21
114:10 115:2,
14 117:24
118:5,19,24
134:18 141:6
146:9,10
149:17
150:12
152:11

156:13
172:17
186:14 187:4
200:9,19,22
201:4 204:24
210:5 217:17
218:22
224:20 228:8
230:20
243:18,21
255:22 259:4
274:1 276:23
277:4 280:12
284:24 289:6
315:9

they'll 116:1
266:21
311:17

they've 5:2
91:3 97:13
224:15 273:6

thing 39:3
70:11 88:16
89:10 90:12
103:22
107:16 114:2
220:21 221:9
272:8 294:25

things 41:6
81:11 93:19
98:16 102:2
118:24 149:3
159:1 161:16
201:10 212:8
229:8 232:15,
21 233:6
237:7 240:18
243:13
266:21
296:23

think 10:16
39:3 40:6,17,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

19 42:10,17
43:3 45:24
68:14 72:14
73:3,7,8
87:20,22
88:4,13 90:24
91:1,16,25
94:5,12 96:3
103:13
104:14
107:23
111:20
113:16
115:11
116:21
117:14 118:4
119:20
122:11 123:3,
11,13,15,20,
25 124:5,22
125:2 126:15
134:11 137:3,
16 141:16
142:2 143:3,
21 144:7,25
145:20
146:22 147:6,
10,12 148:15
150:6,18,21
151:14,18,19,
22 152:5,7,8,
13,25 153:19
154:22
155:24
156:11,14,16,
21 157:5,16,
25 158:7,14,
17,25 160:19
161:25 162:4
163:25
164:14 165:1,
24 170:12,13,
16,23,24
173:6,20,22

174:6 175:6
177:16
178:21 181:8
189:5,14
191:14 201:6
203:3,20
204:13,22
209:6 210:18
211:13 214:5,
7,21 215:3,20
216:17 217:8,
16 218:17
221:7,10
222:13,19
223:17 224:3
225:15 229:7
230:6 231:12
232:2 233:20,
24 236:9,17
237:11,12
239:14,22
241:6,21,22
243:25
245:13 247:8,
23 248:14
249:1,2,4,11
251:12 252:7,
10,22 253:1,
5,17,18,20
255:1,4,5,20
256:20
260:16,25
261:13,15,19
262:12 264:4,
10 265:13,16,
19,21 266:2,
9,14,18
267:13 268:4,
8 269:11
270:17
271:21 272:4
273:6 275:1,
8,9,15,22
276:10,19,21

277:24
280:15 281:6
282:7,20
286:7,16,17,
18,20,23
287:3,10,17,
23 288:8,13,
16 290:3
296:2 297:15
302:25 310:4
311:9 318:23

thinking
118:19
124:16 138:9,
10 215:13,16
261:18
289:19

third 34:19
51:23 78:17
84:3 114:17
118:12 188:2

Thirty-six
234:10

this 4:6,14
7:23 8:19 9:4,
6 11:6,22
12:23 15:16
17:19 18:18
19:3,6,16,19,
20 20:13,23
21:4,7 22:6,
20 23:16
24:20 25:14,
20 26:10,13,
20,25 27:4
28:3,6,7,15,
19,24 29:11,
15 30:9
31:18,25
32:10,14,24
33:1,2,13,15
34:1,2 35:2,3

36:6,12,18
37:8 38:16
39:2,4,15,20
41:19 42:18,
20 43:6,16
44:16 45:19
47:13,14,18,
21 48:4 49:2,
6,13,15,19
50:1,16 51:2,
3 53:1,7 54:1,
3 55:14 58:2
61:1,13
62:21,24
63:3,9,19,21,
22 64:5,9
65:11,23
66:14 67:17
68:11,14,24
70:10,12
71:21 72:4,24
73:5,8,19
77:14,19 78:9
79:3,6,8,12,
15 80:9 82:7,
19,21 83:1,2
84:1,14,23
85:3,5 86:25
87:3,10,14,
20,22 88:5,
12,15,22,24
90:9,13 91:7,
18 93:21
94:3,24,25
95:11 96:6
97:1,23 98:5,
16,17 99:7,9,
23,25 100:5,
7,24 101:1,
10,23 102:1,
4,9,15,23,24
103:4,8,12,13
104:14,17,19
105:6,11

106:12,19
107:1,6
108:2,5
109:2,6,11,14
110:1,5
111:8,9
112:3,4,7,9,
15 113:24,25
114:2,12
115:10,14,17,
18,21,23
116:4,6,11,
12,16 117:3,
22,24 118:9,
15,17,18
119:10,12,13,
15 120:5,7,13
123:1,5,13
124:8 126:20
128:6,19
129:24 130:8
131:12,19
133:22
134:17
135:12,17,25
136:2,8,18,25
137:1,4,5,25
138:16
140:12
142:23
146:25 147:2,
7,9,10,14
148:4,9
149:12,15
150:4 151:6
152:3 154:10,
11 157:7
159:1,8 160:5
166:4,6
167:13,22,24
168:7,19
169:3,23
170:4 171:7
172:9,13

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

173:7,9
175:17
182:19,20,24
183:3,4,10,
11,18,21
184:2,5,15,
19,22 185:1,
9,10,20,24
186:4,10,12,
16,23 187:1
188:1,10,24
189:6,9,12,
13,16,20
193:1 194:22
195:18,23
196:4 197:2,
16 198:13
203:7,11,25
205:18,23
206:8,13,25
207:16,20
208:10,21
209:14 210:7
212:1 213:20
214:25 216:9
219:4 224:2
225:21
228:13,20,21,
23,25 230:10
231:3 233:10
237:18 238:6
242:11
243:25 244:1,
10,21 245:7,
8,12,17,18,20
246:12
247:16 252:3
255:3 257:12
260:25
261:15,22
262:1,19,21
263:17,24
267:10
270:25

271:12,17
272:19,24
273:20
276:15
277:15
280:24 281:5,
24 282:13,15
286:1,3,25
288:4,12,25
289:1,2,12,
13,16 292:21
293:5 297:13
302:8,20
304:11,18
305:18
306:21,24
307:10,14
309:3 311:6
312:10
313:13,19
314:5 315:5
316:13,18,23
317:22
318:22,24

those 8:21
22:1 29:18
33:16 35:16
36:1 38:15
39:7 40:10,
13,24 41:4,15
44:4 46:13,14
49:7 54:25
56:17,21
57:6,9 61:7
62:8 65:4,12
66:2,5,12,18,
21 67:5 68:6
70:4,15 71:17
73:11 81:10
85:25 86:5,6
91:15 92:3,17
93:5,9 110:19
111:15 115:7,
11,12 123:3

128:10,15
129:4 132:7
142:3 145:24
146:15,16
148:17,21,25
150:13,17,20
153:2 154:8,
17 156:5,7,20
157:1 158:3,
13,14 159:17
160:12,17
175:6 180:9
182:16
184:10 191:3,
4 192:9,19
194:12 197:8,
12 199:18,22,
24 200:3,10
201:7 203:2,
16 204:23
205:10,12
208:6 210:21
213:23 214:8
215:3,8,9
216:9 219:9,
11 220:25
225:4,6 229:8
231:8 232:15
233:6,23
235:1,4,12,14
239:3,21
240:22 241:1,
9 249:5,23,24
251:11,15,17,
19 254:24
256:9,12
257:19
258:18 263:4
264:5 267:20
275:23
276:12,19,24
279:10
280:21 282:2,
13 286:12

287:24 289:9,
15 290:12
294:11,23
295:2,6,10,
13,19,20
296:1,16,17
297:19 298:6
299:20 300:7,
12 302:15
307:6 310:11,
12 311:21

though 92:24
99:2 155:10
216:4,22
257:4 269:8
280:14 294:4
298:1

thought 36:18
65:6 152:16
158:10
159:12 167:2
191:15 205:2

thoughtful
40:25 41:5
66:23

thoughts
36:21 147:4
204:24

thousand
92:3 242:12,
13,20

thousands
13:19

three 30:1
33:7 83:3
92:1,3 94:18
114:8 128:11
152:3,5,6,9,
12,19,25
153:9 213:23
216:15

242:14
244:20 256:9
279:17

three- 99:15

threshold
61:23 67:23
75:3,4 78:4
80:17 155:16,
19

thresholds
57:11

through 25:4
28:17 32:5
35:19 51:1,25
56:4 57:6
59:15 68:19
71:15 78:23
84:2 88:14,15
90:17 99:4
103:13
104:22 105:1
108:7,23,25
112:19
132:22
135:21,22
139:2,22
140:2 146:19
148:8 153:19
154:2,5,10
155:23 156:4,
6,17,20 157:8
174:13 182:1
191:1 199:11
200:21 203:4
208:24
209:20,24
215:2 225:12
227:13,22
233:21 240:4
249:9 257:20
260:21
268:10 273:4,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

7 287:16,18
296:17
309:11,13,20
311:22 318:4

throughout
40:15,16
264:18 276:3

thrown 110:2

thus 33:10
91:6

ties 49:6
183:18

tight 113:4

time 4:6 7:13
13:14 28:2
31:12 48:10
50:1 68:21
71:16,21 80:9
84:15 88:1
96:4 103:9,
12,24 116:16
117:21
118:12,17,18
119:16
121:20
125:22
128:19 130:8
131:18 134:8,
12,16 140:11
142:12,19
171:8 173:9
182:19
189:20
197:16,20
204:4,20
207:20
208:10
209:14
219:22 220:9,
20,23 221:1,8
229:16
230:13

232:11,15
233:4,19
241:5 243:17
246:12
247:16 250:7
255:7 257:5
265:6 275:10
285:13,17,18
288:21
292:21 293:5
304:12,18
306:24
307:10
310:10 314:5

times 62:2
86:3 99:20
174:10 221:2
287:18 310:9,
11

Ting 115:25

Tire 279:11

title 186:2

titled 185:24
188:6

titles 227:6

to 4:11,15,19,
21 5:2,4 6:3,4
7:14,16,22,25
8:2,4,7,8,9,
12,14,15 9:2,
4,7,14 10:3,7,
8,14,17,25
11:1,25 12:2,
3,8,9,15,18,
21 13:7,11,
15,24 14:4,8,
9,10,11,15,
18,20 15:3,7,
8,19,23,25
16:6,7,12,17,
19 17:1,3,6,

11,16,18,20
18:6,9,21
19:5,6,7,23
20:2,7,17
21:1,9,13,23,
24 22:2,8,18,
23 23:5,6,7,8,
17,23 24:9,18
25:10 27:1,9,
12,13,14,16,
18,19,23,24
28:1,2,5,13,
15,16,18,21,
23,24,25
29:1,7,8,9,21,
24 30:2,3,9,
15,16,20
31:1,6,7,9,10,
12,25 32:5
33:7,9,11,21,
23 34:3,17
35:4,5,9,12,
13,16,20
36:3,7,8,17,
21,24,25
37:15,16,17,
19,25 38:2,4,
6,13,14,19,20
39:6,9,10,17,
19,22 40:1
41:2,5,7,8,9,
11,13,25
42:6,7,10,19
43:2,11,14,
20,21,23,24
44:4,5,7,18,
20,25 45:7,
12,23 46:3,
10,11,13,14,
20,23,25
47:2,4,5,8,14,
17,25 48:3,4,
11,13,16,22
49:1,15,21

50:2,19,21
51:5,6,10,11,
17,21 53:8,
11,13 54:4,5,
9,16 55:3,7,
13,16,20,21,
22,23 56:2,3,
7,10,21 57:3,
7 58:3,10,25
59:12,13,20,
21,23 60:3,
18,19,20,22
61:8,11,17
62:1,17,19,25
63:6,22 64:22
65:9,10,13,
14,15,17,18
66:5,17,18,24
67:2,4,7,10,
15,25 68:4,
10,11,15,22,
23,24 69:13,
16,25 70:6,7,
8,13 71:3,5,
15 72:4,21,
22,23,24
73:3,14,19,21
75:11,15,22
77:5,14,15,
16,17 78:3,19
79:12,18
80:2,16,17
81:4,8,16
82:24,25
83:9,14,18,
20,23,25
84:4,8,25
85:8,13,18,
23,24 86:1,6,
9,23 87:1,4,6,
7,9,17,20,22,
25 88:1,12,
13,21 89:10
90:12,17,20,

21,22,25
91:14,16,19,
23,24,25
92:6,13,24,25
93:2,4,6,8,13,
20,25 94:2,4,
9,12,13,16,
20,25 95:2,6,
15,20,21,22,
23 96:7,23,25
97:9,15,16,
19,25 98:12,
14,18 99:1,2,
3,9,11,13,15,
22 100:1,7,8,
9,10,14,21,
23,24,25
101:6,7,10,
11,12,23,25
102:1,2,3,5,6,
9,14,15,16,19
103:13,14,15,
19,22 104:2,
7,10,20,23
105:1,4,6,8,9,
14,15,16,17,
18,19,20,22
106:1,3,4,6,
13,14,15,18,
19,25 107:2,
5,10,11,12,
15,18,23,25
108:4,7,14,
15,19,20
109:2,11,18,
19,20,23
110:6,7,8,12,
24,25 111:1,
2,8,19,20,22
112:3,9,11,
13,18,20,22,
23,25 113:7,
8,14,15,20,
21,23 114:5,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

11,13,16,20, 21,22 115:3, 9,13,20,21,24 116:3,8,11, 12,13,14,15, 18,19,22,23, 25 117:6,8, 10,13,16,21, 23,25 118:4, 5,7,14,15,17, 18,20,23 119:1,3,9,17, 18,19,22,24 120:10,13,16, 18,19,22,23 121:2,8,9 122:7,13,20, 24 123:6,10, 13,14,15,19, 21,22,23 124:7,9,16, 18,19,21,24 125:5,7,10, 13,16,18,20, 21,22 126:1, 7,9,17 127:9, 17 128:10,13, 15,16,20 129:4,17,20 130:3,6,12 131:3,4,6,9, 17,21,22,25 132:3,5,7,13, 15,22,23 133:2,10,13, 16 134:2,7,9, 15,18,19,20, 24,25 135:14, 16,19,23 136:1,2,4,13, 16,17 137:11, 14,24 138:1, 6,11 139:19 140:4,24

141:6,7,10, 12,14,15,18, 23,25 142:3, 9,10,12,15,24 143:2,14,16, 18,20 144:4, 6,16,17 145:10,16,20, 25 146:1,5,6, 9 147:6,8,11, 13,14,22,23 148:2,12,19, 22 149:6,11, 14,15,18 150:2,7,10, 11,17,20,21, 25 151:11,12, 14,20,23,24, 25 152:9,16, 20,21,22 153:10,13,15, 19,25 154:3, 10,11,12,13, 15,17,18,20 155:2,4,12,19 156:12,20 157:3,4,11, 13,15,17 158:8,10,12, 15 159:3,9, 14,18,19,23, 25 160:3,5, 16,24 161:22 162:5,6,8,12, 13,21 163:2, 13,15,21,22 164:1,13,15, 16,18,25 165:3 166:24 167:1,7,14, 15,24 168:1, 11,15,16,17, 19 169:5,10, 16,20,22

170:11,22 171:10,17,22 172:12,14,17, 20 173:24 174:2,19 175:17 176:20,21,25 177:2,5,7,15 178:3,6,12, 18,19,24 179:4,13,21 180:5,9,17,21 181:10,17 182:1,20 183:6,9,10, 12,20 184:5, 9,10,11,12 185:2,3,4,7, 11,14,18,19 186:4,5,12,13 188:3,15 189:9,10,11, 12,13 190:6, 10,17,22,23 191:3,5,9,13, 19,20,22,23 192:10,12,14, 24 193:22 194:16,20,23, 24 195:7,15, 16,23 196:12, 20 197:1,8, 14,24 198:7 199:20,22 200:2,4,18,19 201:2,3,6,11, 13,17,21 203:10,11,15, 17,18,19,23 204:19 205:1, 10,12,24 206:8,18 207:4,20,21 208:6,14,20

209:10,13,14, 19,20 210:1, 5,8,10,15,17, 22 212:10,18, 24,25 213:12, 13,17,18,21 214:2,4,9,11, 13 215:12,13, 15 216:1,17, 22 217:11,19, 20,24,25 218:1,2,11, 12,18,21,22 219:2,7,9,10, 11,17,23,25 220:3,11,12, 16,24 221:4, 8,10,11,15, 17,18,19,21, 22,25 222:4, 5,6,10,16,18, 22,24 223:17, 18,19,20 224:7,13,14, 15,19,21,22, 24,25 225:1, 3,5,8,10,16, 18,20 226:9, 12 227:1,2,5, 12,16,19 228:6 229:4, 16,20,24,25 230:1,2,5,10, 12,13,14,15 231:4,6,7,8,9, 14,15,20,22 232:2,4,9,11, 16,22,25 233:1,2,3,5, 12,16,17,23 234:1,8,11, 13,16 235:2, 4,8,15,18,20 236:2,3,15

237:3 238:2, 7,18,20,21,25 239:1,4,9,10, 14,16,19,20, 24 240:6,7,9, 14,19,21,23 241:6,23 242:3,8,17, 19,23 243:1, 2,8,12,18,19, 20,22 244:12, 15,16,17,18, 25 245:5,9, 11,13 247:1, 5,10,16,19,21 248:12 249:2, 8,14,17,25 250:2,6,18, 23,25 251:5, 8,9,15,16,22 252:5 253:2, 13 254:15,18, 20,22,24 255:1,2 256:7,12,19, 22,23,25 257:1,5,6,7, 12,13,14,18, 19 258:24 259:5,7,16 260:1,2,3,10, 16,20 261:8, 13,16,19,22 262:3,6,18,25 263:6,8,16,22 264:21 265:5, 6,13 266:2,9, 11,12,14,16, 23 267:2,9, 14,15,20 268:5,9,10, 11,21 269:4, 8,16,19,20,22 270:8,9,12,

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

13,16,25
271:4,9,13,
16,18,19,22,
23 272:1,6,
11,13,19,21,
25 273:3,14,
16,17 274:7,
8,20,23
275:2,3,21,
22,23 276:18,
23 277:3,9
278:7,9,11,
12,13,17,18,
20 279:25
280:3,12,16,
22,23 281:13,
14 282:3,8,
16,18 283:2
284:8,15
285:13,18,25
286:2,4,8,9,
19,23 287:15,
18 288:3,6,8,
12,14,16,25
289:2,4,7,12,
16,19,20,23,
24,25 290:1,
9,10,13,19,
22,24 291:5,
7,12,15,23
292:13,17,19,
22 293:4
294:4,7,10,12
295:9,10,12,
13,20,23
296:22,23,24
297:3 298:6,
11,15,17,20
299:3,8,12,
17,18,23
300:4,10,15,
22 301:14,15,
23 302:6,14,
20 303:2,12

304:2,6,8,10,
11,16 305:14,
18,21,22
306:3,10,20,
24,25 307:6,
18,24,25
308:3,7,20,
23,25 309:14
310:17,22
311:3,12,14
312:10,12,15,
24 313:12,17,
23 314:2
315:1,5,9,14,
23 316:13,21
317:3,8,11,16
318:22 319:2

to-wit 127:18
171:23
179:22
196:21 207:5
291:24
303:13
306:11
312:25
315:24

today 4:3,4
9:24 12:6,17
26:17,23
30:3,13 34:20
38:4,9 41:1
50:22 51:5
115:1 126:3
128:16 129:2
142:19 151:3
180:10 204:4
208:3 214:1,5
215:5 224:22
234:21 235:2,
14,23 281:11
288:7,10,13
299:4 304:6
307:2

today's 12:16
15:3 34:21

together
41:15 43:10
49:7 92:1
100:20 124:9,
10 140:24

told 122:23

tomorrow
51:17 125:11
318:25 319:2

tons 100:10

too 13:18 49:2
139:18 198:3
241:12,13
243:13 261:1,
11 268:21

took 102:14
174:12
195:20 216:8
262:12

top 42:12
116:7 123:16,
17 124:23
244:24
245:14
246:15
249:10

topic 184:23
185:15,16
313:21

topics 313:21
316:25

total 114:9,19
140:10,13,14
240:21,23

touch 91:15
98:15 112:9
122:21
229:23

touched 91:3
287:10

toward 44:14

towards 88:8

track 21:14
107:12,16
110:22
116:12
256:12
273:12

tracked 111:9
256:3

tracker 48:8
252:24 256:3
258:17

tracker's
253:13

tracking
28:25 36:6
107:4 109:24
111:12

trade 77:3

traded 97:9

traditional
21:8 78:7
169:4,8

transition
52:5 56:13

transitional
16:8

transmission
16:25 54:17
56:6,9,11
182:13,14
188:19
190:19 191:1
256:5 258:17
297:17,19,21
298:8

transparency
25:14 31:5
32:17 33:23
34:10 79:6
95:5 114:10,
15 149:21
173:21

transparent
31:21 52:14

Travel 126:20

Travis 5:14
11:16 26:11
126:18
129:24 173:7
206:14
217:14

treat 102:23
111:1

treating 97:5
103:6 195:3

treatment
37:8 47:19
78:6 84:10
102:11

trend 20:2

trends 17:24

tried 148:8,11
149:11,15

tries 70:6

trillion 99:17

trouble 22:21

true 37:21
40:17,19
42:13 91:21
94:8 95:1
115:17
128:16
191:17
197:13 208:6

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179
LEXITAS

224:6 233:11 238:4 247:4 270:5 292:18 297:6 298:9 304:7 307:6 314:1 317:8

trued 237:23 238:16,19 250:15 294:16

truly 104:17

truth 127:10, 18 171:17,23 177:4 179:13, 14,22 196:12, 13,21 206:19 207:5 220:17 291:16,24 303:2,13 306:3,4,11 312:16,25 315:14,15,24

try 38:14 86:9 103:15 155:4 168:17 177:5 225:11 242:8 284:8 307:14

trying 65:15 70:6 88:12 112:18 114:13 143:2 153:19 155:2 201:2 203:10 222:16 239:9, 14 240:7,19 243:12 249:13,17 295:9,12

Tuesday 210:11

tug 93:25

tulip 289:1

turn 40:14 118:24 143:15 181:10 208:19 210:24 221:15 226:12 227:4 234:8 251:8 260:20 269:20

turning 114:24

twenty-four 55:13

twice 97:20 241:17,25

two 31:14 33:5,17 43:7, 17 74:3 81:8 84:6 88:12 91:1 92:17,20 105:2 116:15 122:10 123:3, 7 124:3 136:14 142:3 146:4 153:7 158:5 190:6 197:2 208:20 217:3 218:10 229:8 232:15 233:6 242:14 244:20 255:7 272:20,23 273:24 274:1 279:17 286:14 289:11 310:4

type 111:21 235:21,24 236:3 263:23

types 31:6

typically 277:6 294:24 295:23

typo 207:22

U

U.S. 9:22 56:10 77:1 96:24 97:14 98:6

ultimate 259:1

ultimately 34:21 41:20 49:22 68:7 69:8,9 72:25 117:8 123:23 195:20 238:15 272:8 276:24

umbrage 210:16

unacceptable 219:8

unanimous 57:5 58:3 69:1 84:4 277:25 281:19

unanswered 70:17

uncertainty 22:14 79:13

uncompetitive 45:11

under 23:23 24:8 26:19

27:4 31:15,18 33:17 34:12 35:3 39:24 49:16 61:24 72:19 73:15 74:24 75:12 80:18 105:6 116:20 117:10 134:17 136:8, 18,23 144:21 147:14,15 149:3 155:1 160:17 163:9 178:16 182:10 199:24 205:20 219:9 238:22 250:24 256:9 257:10,14 259:9 276:8 282:2,13 284:13,16,19 311:22

underestimate 148:20

underscore 58:15

understand 122:7 123:1 164:4 182:9 188:3 200:18, 24 212:22 218:18 222:16 237:14 242:22 245:24 247:12 254:7, 8,9 257:25 258:3 269:4 281:24

296:11

understandin g 112:11 138:13 167:21 182:6, 8 185:8 210:12 224:11 255:2 257:2 259:4, 11 267:13 273:5 277:5, 13,21 278:5 280:6,17 281:2,6,7 296:20 298:13

understood 10:23 209:9 262:5,11 268:13

undone 46:17

undue 216:20

unduly 21:18, 24 23:8 33:4 60:7 274:9

unexpected 187:13,20

unfair 37:7

UNIDENTIFIE D 164:24 175:24

uninformed 44:17

Union 5:19 256:6

unique 17:11 33:8 54:2 56:22 114:17 242:24

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

unit 230:12 231:6 233:3 248:11,22,23 299:11,13,14, 19,22,23 300:5,9 301:16,20,23, 25 302:10

United 20:12 24:2 218:12 264:19

units 98:3 230:13 231:8 232:3 248:15 249:5 285:21 296:15 297:3 299:17,20 300:7,13 301:18 302:12,15

University 248:6

unjust 14:17 25:10 35:11 38:1 62:16 104:9

unjustly 268:12

unlawful 25:17

unless 212:19 224:9

unlike 19:3 44:3

unlikely 59:14

unnecessarily 22:14

unnecessary 44:11

unprecedented 13:18 22:18

unpredictable 284:22 285:10

unpredicted 22:22

unreasonable 14:17 25:10 35:11 38:2 62:17 104:9

unreasonably 20:16 268:7

unrelated 61:2

until 10:17 113:9 125:22 127:1 136:18 143:16,20 146:5 184:13 196:10 251:10 259:17

unwanted 114:20

unworkable 70:24

up 5:2 6:5 9:14 10:7 16:7 42:17 48:2 65:6 75:15 88:9 90:12 92:21 93:10,19 94:2 96:1,9,10 100:5,7 101:10 103:10 106:21 108:11

111:20 114:24 115:14 117:3, 23 122:23 129:4 130:22 132:23 146:21,22 149:20 154:22 155:4, 15,20 159:2, 17 180:18 181:7 191:12 192:2,10 218:19 219:5 230:1,7,10 231:4 232:23 237:23 238:16,19 239:10,14 240:22 247:8 249:11 250:15 253:20 254:20 256:5, 7 259:3,4,5 265:14 273:20 275:21 288:10 290:5 293:3 294:16, 20 295:1,10 300:22 301:22 302:5 304:16 310:7

update 194:5

updated 17:3 60:15

updates 12:3

upgrades 17:2

upon 34:8 75:1 210:20

231:18 234:2 246:25 254:22 266:3 282:14 295:15 300:14

Urandia 38:11

urban 287:9

urge 29:7 70:8 73:19 81:5

us 4:18 6:15 53:5,10 65:14 93:1 100:16 101:6 113:19 116:13 123:18 126:7 132:5,7 149:8 150:7 152:20, 21 160:1,3 162:8 232:4, 15 273:15 283:17

usage 32:3 34:15 55:1 61:23 74:17, 22 81:11 100:15 114:8, 9 156:2 157:12 232:22 233:23

use 80:25 82:1 103:12 111:22 112:6, 25 114:12 134:6,14 154:18 159:17,18 202:25 228:6 229:17 232:25

233:12 234:16 235:1 237:3 245:22 246:7 247:4 295:21 297:9

used 27:19 31:24 87:18 109:20 133:14,16 185:5 235:25 247:13,15 259:8 265:5 266:12 272:13 300:15 302:14

user 72:11

users 73:4

uses 190:20 199:21 234:21 294:12 296:5

using 60:10 98:3 154:15 155:7 175:6 275:10 294:11 295:5

usually 249:12 294:9

utilities 13:23 18:21 37:11 48:9 53:14 54:4,10 55:8 58:23 69:25 70:5 73:4 77:20 79:1 159:12,14 207:24,25 213:23 214:20,23 215:15

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

216:16,19
217:3 218:9
221:24 222:4,
10,22 225:1
238:16,20
251:2,16
252:5,19
255:21 256:5
264:18 267:5,
19 285:13,17
297:17 298:1

utility 20:25
21:2 26:22
35:4 46:12
48:15 54:15
58:9 66:16
70:2 72:5
82:22 90:3
95:25 113:14,
19 134:7,14
150:23,25
222:2 224:12,
18 225:5
230:10
233:10,11,15
238:25
241:19,23
246:23
249:15
251:22 252:9,
14 254:10,20
255:11 256:4,
11,14,17,20,
23 257:9,15,
18 264:22
270:2 275:10
276:12 277:3
278:22
284:12,18
287:1 295:11
298:7 300:6,7
302:8 306:19
308:1,4,11,21

utility's 39:9
237:22
240:23
253:12 295:4

utilized
286:18

V

V-I-J-A-Y-K-A-R 63:15

vacuum
214:25

Vaguely
298:13

validate 58:25

value 24:5
62:2 113:11,
12 141:18

variability
287:8

variable 71:4
248:10
284:21 285:9
295:5

variables
22:12

variation
114:21 116:2

variations
114:21 116:5

variety 31:5
54:1 98:11

various 90:5
107:20 119:5
140:7 141:7
149:17
168:14,16
210:3 251:14

266:17
300:14

vary 32:19
33:7

vastly 43:11

Velvet 6:18
12:12 28:9
37:9 75:15,20
76:14,18,20
77:17 79:8
165:15 176:6
193:10 202:8
204:21
211:17
277:15 281:3
293:11
304:23
309:20
314:11 318:4

Velvet's 80:8

ventured
40:20 45:16

venue 68:15

verbal 10:12

verification
178:4

verify 278:18

version 88:25
117:9 132:10
208:11
273:21
277:20

versions
214:3 272:20
273:24
313:15
316:15

versus 57:9
259:2 280:8

282:9 287:8

very 11:17
15:3 22:8
58:7 59:14
72:21 76:7
84:3,18,25
85:24 86:12
87:3,14 93:8
94:8 100:20
109:10
115:17
122:10
145:25 150:3
169:23
186:19 200:1
207:23 208:2
209:19
210:23
216:15
219:10
235:10
275:24
278:10 280:3
290:16
291:12 301:7
302:18 303:9
304:20

vetted 214:11

via 21:3 63:9
183:16
241:17

viability
102:5,10

vice 17:23
128:2

video 63:9
126:13

view 45:12
46:3,15 52:12
53:1 151:10
212:23

viewpoints
209:2

Vijaykar 7:1,2
63:8,9,13,15,
18 165:13
176:5 193:8
202:5 211:18
293:13 305:1
309:22
314:13 318:6

violation
20:17

Virginia 116:5

virtual 121:9

visit 260:16

vital 42:7
51:15

voiced 11:15

volatile 22:12,
21,22 190:11

voltage
114:20 157:1

volume 55:2

voluntary
157:8

vote 194:11,
18,19 195:13
211:14,16

W

W-H-I-P-P-L-E
11:12

wage 94:18

wages 256:7

wait 10:13,17
143:16
184:11

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

waiting 10:25 88:1 143:20

waive 116:19 117:6,10,11 131:3 159:3 160:16

waived 165:2

waiver 106:11,24 159:25

walk 105:1 106:18 108:7 154:10

walked 139:2

Walker 4:3,12 5:11,16,19,24 6:9,16,19,24 7:5,9 8:6,17, 22,25 9:9,16, 18 10:6,16,20 11:4,8 26:3 38:17,22 50:3,8,18 63:5,11 71:22 73:22 76:9,13 82:5,9,12,17 84:16,20 86:11,14 121:7 122:3 125:3,15,25 126:8,22,24 127:2,6,8,13 128:22 129:5, 9,13,16,23 130:2,5,11, 20,24 131:5,9 136:3 142:21 143:6,9,13, 19,22 144:19 145:4 158:19 160:23 161:2 164:21 165:5,

7,10,15,19 168:1 169:25 170:14,17 171:9,13 172:22 173:3, 11,14 174:25 175:4,16 176:1,3,6,9 177:21,24 178:23 179:2, 10,16 180:15, 20,25 183:4, 22 184:12 186:7,15 187:6 189:17, 20,22,25 192:22 193:3, 6,10,13,18,21 194:22 195:4, 22 196:1,6, 11,15 197:19, 23 198:6,20, 24 199:2,5 201:20 202:1, 3,7,10,13 204:5,8 206:7,11,17, 22 208:13 209:16 211:1, 5,12,15,19, 21,24 218:1 219:15 224:4 226:5 229:13 230:25 258:11 259:15,18 268:25 270:24 271:6 282:22 283:3 285:1 290:18 291:4,9,11, 14,19 293:7, 11,14,16,18 301:1,4

302:19 303:1, 5,8 304:15, 20,23 305:3, 6,8,11,13,17, 24 306:2,6 307:12 309:19,23,25 310:2 312:2, 5,9,14,19 314:7,11,15, 17,19,22,25 315:4,8,13,18 317:15,23 318:3,7,9,11, 14,16,21

Wall 96:12,20 98:25 99:6

want 10:8 47:14 49:1 51:5 56:21 72:21 83:20 86:23 87:9 88:21 90:12 91:14,25 96:7 99:9 101:6,25 102:2,4 104:23 106:4, 15 107:4,12, 18,24 108:4 109:23 112:9 114:16 115:13 116:25 117:10,13 118:13 122:7 124:8 132:22 136:1,4 142:3 143:19 144:6 145:10 158:12 160:4, 9 163:2,22 170:11 176:20

180:17 216:1 229:20 242:23 243:19,22 247:16 268:9, 10 269:5 278:17 286:8 289:24,25 307:24

wanted 107:15 122:20 154:12 159:9 194:16 234:1 238:2

wanting 201:11

wants 39:19 41:9 48:11 116:19 117:6 159:3 178:24 286:23

warned 13:4

warranted 125:24

waste 234:17

watched 225:12

water 27:9 80:24 81:11 95:7 97:25 98:2 114:8,12 156:2 157:12 266:12,13

wave 99:16

way 12:20 32:10 40:24 42:18 48:11 94:13 96:18 105:25 109:6

112:21 120:23 123:2 137:17 147:13,20 155:7,14 158:9 201:17 212:2,8 216:11 219:4 222:24 229:1 237:10 242:11 253:9 257:17 260:24 284:8 286:23 288:25 289:12,16 302:4 309:12 311:11

ways 15:12 92:7,21 106:9 124:19 289:20

we 4:19,20 5:6,9,13 6:6 7:18,20 8:1, 16,20 9:2,20 10:1,2,13 12:8,17 28:8 30:5 36:11 39:1,3 41:22, 23 44:24 50:15,21,22 51:10,21 53:1 54:1 58:4 63:6,22 67:2, 4 68:14,22 69:11 70:8, 18,21 71:22 72:13,14,20, 21 73:3,7,8, 17 75:10,12 77:10,14,15 79:11,17

LEXITAS

80:17 84:20
85:3,14,24,25
86:3,4,17
87:16,19
88:7,14
90:11,20 91:2
93:12,15,18,
20 95:14 96:4
97:22 99:24
100:13 101:2,
7,8,10,11,12,
13,14,23
103:22 105:8
106:11,15,24
107:3,4,14,
21,23 108:13
111:14,20
112:4 113:10,
16 115:1,3,
11,21 116:21
117:5,11,24
118:4,9,19,25
119:3 120:5,
13,21 121:5
122:9 123:8,
10,11,13,16
124:8,11,13,
22 125:5
127:2,3,5
129:3,19
132:19 134:6
135:20
136:13 137:9,
16 138:24
139:2,4,5,25
140:20,21
141:15,16,18,
22,23 142:24
143:3,21
145:20 146:5,
17 147:8,9,
10,15,21,22
148:8,11,16,
18,21,22,24

149:1,11,12,
13,15,16
150:3,5,14
152:7,8,14,
16,20 153:13
154:15,16
155:9,11,13,
14,19 156:10,
11,16,18,20
157:3,5,11,
12,13,16
158:1,2,4,5,6,
8,9,10,12
159:11,12,16,
17,18,22,24
160:4,9,16,18
162:9,21
163:2 174:4,
8,9,12,14,15,
21 175:13,21
182:8 183:10
186:11 189:5,
10 190:23
191:14,24
195:2 199:14
201:12,16
204:20,22,23
205:3,7,11,23
206:14
209:11,22
210:14
214:25
217:19
224:20,23
225:2,3,11,17
229:20,22
230:1,9,10,
12,13 231:2,
3,5,6,16
232:5,8,11,18
235:9,10
239:15 240:1,
12,14 242:11
243:20,22,23

244:5,16
245:6,8 247:8
249:11,13
253:24 255:7,
8 256:13
259:6,15
260:3,6
263:10,14
266:23
272:13
273:14
276:17,19
282:23
283:15,21,22,
23 286:6,7,8
287:12,13,15
288:21
289:13 290:7,
9,13 291:11
293:2,4
295:23
300:22
301:19
304:15,17
305:22
314:13,25
318:17

we'd 103:7
123:19
124:23 232:2
239:19

we'll 9:14
95:8 103:1
126:25
130:13
132:23
143:14
160:23 179:3
186:16
188:18
192:23
193:21 196:6
201:21

206:15 213:1
231:7 276:13
305:13
309:20 314:4
317:13
318:25

we're 6:3 7:15
10:17,25 41:1
64:15 72:5,6,
7,9,11 87:5,7,
11,13 90:2
93:24 95:6,22
96:2 97:1
98:6 100:9
104:4 105:4,
13,21,23,25
106:6,9,17,24
107:14
111:18
112:18
113:21 114:4
115:12,15
116:10,25
120:22
123:21,22
130:12,22
131:5 132:3
146:3 148:9
149:2 151:19
152:16
157:15
160:10 195:4
215:13,16
225:18
228:15 231:8,
14 239:8,9,14
243:19
249:16 262:2
265:3,5
272:14
276:18 290:5
291:7 298:11

we've 85:1

91:11 94:7
96:10 102:7
109:24 112:7
137:3 147:20
218:24,25
240:13 253:4
255:6 263:19
273:8 277:24

weather 42:20
235:2,11
236:11,13

website 81:10

weeds 212:24
246:9

week 99:7
128:14 167:3
194:11

week's
117:20

weeks 30:4
31:12

weigh 275:23

weird 90:16
112:10
114:18

welcome
120:21 121:8
206:10

welcomed
216:10

welcoming
101:12

well 5:15 7:21
8:16 9:8,25
12:23 13:24
18:11 34:6
37:2 39:16
45:10 52:23
65:7 66:14

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

79:5 85:13
92:15 100:6
103:1,21
108:11
117:23 126:8
133:23
143:14 148:4,
6,20 150:8
156:5 162:22
167:1,17
179:11
183:20,21
184:8,17
186:3,12,13
189:15
190:24
194:18
204:18 212:6
213:1 214:9,
21 215:6
217:16
218:14 219:4
220:3 221:6,
17 222:21
223:3 225:8
228:16 229:6
231:20 232:3,
24 233:20
235:23,24
236:5 237:24
241:9 242:10
248:21 250:4
251:17,24
253:21
255:19
256:18
261:21
264:17 266:5
271:13,18
272:10 274:1
275:16
276:13,17
278:11
279:21,23

280:9 282:13
294:15 295:1,
24 296:10
299:14,21
301:21
305:23
310:16
311:13,20

Wendy 5:22
39:1

went 69:7
222:23
261:19

west 4:9,10
10:2,5 47:9
113:6 128:7
172:10 203:3
205:21,25
287:13

West's 12:3

what 8:9 9:11
10:21 28:5
31:14 34:16
36:3 37:12
39:9 41:13,23
42:18 43:17
45:3,7,9,10,
22,24 46:15
47:6,25 48:1
49:10 52:13
60:1 73:1,6
74:17 85:11
89:1,12 91:1,
25 92:10,16
93:17 98:15
101:14,18,25
103:17,19,21
104:11,19
105:5 106:6
107:22,23
110:22
111:11

113:11,12,16,
20,25 114:19
116:3,7
119:3,4,23
120:9,15,16
121:1 122:11
123:7,10,12,
17 124:7,8,
14,23 126:10
128:1 133:25
138:1,2
139:19
140:22
145:18
146:18 148:2,
13 149:4,5
152:5 154:9,
11 156:7
157:15
158:10,11,12
159:6 162:19,
24 163:20
164:17 166:1
169:24 170:1
172:6 174:1,
3,5,6,15,17
175:11,12
177:9,14
184:24 185:5,
13 186:2
194:4 195:12,
14,18,19
200:25
204:18 205:2
207:12
211:13
212:13 213:1
214:1,11
215:13,16
217:23,25
220:3,10
221:22
222:16
224:24

226:22 227:9,
15 228:14
231:5,10,23,
25 232:4,8,18
235:15
236:17,18
238:25 239:5,
8,10,14 240:7
241:9,21
244:12,17,22
246:1,13
247:12,18
249:13,16
251:25
257:24
258:24
263:11
264:25 265:1,
14 268:16,17
269:4 271:21
272:14 273:4
274:7 276:1,
15 284:7
288:5 289:8,9
290:3 292:9
294:10 295:9,
10,12,13
296:1,7
297:9,10
298:5 299:2
300:3,15
301:13
303:23
306:17
307:25 311:5
313:9 316:8

what's 90:16
92:23 100:6
105:22 109:2
140:20
150:22
162:11
219:23 236:3
295:25

whatever 89:8
154:15
159:23
174:13 241:7
256:8 298:10
299:6

whatsoever
111:13

when 8:8 9:14
25:3,19 28:5
43:22 44:6
45:24 46:22
55:23 70:5
86:16 97:7
117:21
120:23,24
126:6 139:23
142:15,17
158:15
173:21
181:11
184:25 185:2
186:17
188:24 189:6
191:6 200:21
204:19,24
206:23 212:9
230:10 231:3
234:21
235:24 236:3
240:22 242:4
243:17
244:21
246:19,22
249:11,16
254:18 256:2
258:4 268:4
273:15
275:10
276:17 282:8
289:6 290:7,
19 297:9,13
298:24

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

299:10
300:10,21
306:7

where 40:15
43:9 45:16
47:9,23 49:1
70:5,19 75:1
83:20 101:1,2
102:9 113:13,
18 117:1
118:18
124:25 139:2
140:10
141:22 142:6
146:8 148:9
149:6 152:2
174:5 181:13
185:18 192:2
209:14
210:19 219:7,
24 234:12
243:11 245:5
253:5 265:7
266:1,2,10
269:23
275:17
288:14,18
289:2 291:1,3

whereby
239:24

wherewithal
221:8

whether
33:24 37:8
75:9,10 87:19
99:8 102:21
119:9 148:8,
10 152:9
156:23,25
160:14 161:8
166:5 177:12
205:10

218:14
233:25
234:15 236:6
250:8 256:22
258:25 259:2
271:4,10
294:15
297:16,18,20
301:25
310:25

which 7:20
12:8,10 13:4
14:23 15:12,
15 18:25 20:2
22:13 24:18
28:21 29:7
30:10 31:7,
10,18 32:18
34:4,12 37:4
41:25 43:22
44:5 46:2
47:7 53:8,19
54:18,21 55:1
56:1 58:8,9
59:14,16
60:14,18
61:18 65:14
69:21 70:1
71:7 76:18
83:22 85:18
91:11 93:14
94:16,21
98:4,15
106:21
108:11
123:23 128:7
129:2 133:25
136:24
147:16
149:21
150:24 151:2
153:20
155:16 158:6
162:2 163:7

172:10
174:15
187:19 191:5,
6,12,13
197:3,4
205:16,17
207:17 209:3
220:12
227:22
248:15
250:25
261:22 262:1
267:2 275:18
277:19 278:2,
23 279:12
290:22
292:14,23
304:3 306:21
317:12

whichever
62:4,9

while 10:24
13:17 16:4
17:12 21:25
23:7 29:19
42:22 53:24
59:12 66:8,
15,20 67:21
69:4 70:12
78:6,13 79:1,
10 81:15
83:24 85:1
87:3 125:7
161:24 168:7
183:23
229:15 267:4
294:6

Whipple 5:9
9:6,13,17,19,
21 10:7,19,23
11:6,10,12,20
127:4,7,20
128:19,23

129:7 130:8
135:25 136:1
140:20 143:8
144:16
145:11
146:21 165:1,
6,9,21,23
167:17,19
168:4 170:1,
5,7,21 171:2,
7 301:3 312:4

Whisker
115:4

white 96:23
188:6

who 10:18
14:11 15:4
16:1 17:24
18:2,4,8
32:11 35:5
38:15 39:10,
23 40:13
42:11 47:3
55:11 61:9,10
64:2 72:23
86:20 94:14
97:24 100:1
105:6 108:1
111:15
113:24
115:25 121:8,
13 126:12,17
141:6 148:12
171:14 175:1
186:10,11,17
194:8 198:14
209:1 213:7
215:1 217:12
219:7 234:6
244:20
245:12 247:9
277:2 279:10
280:13

283:13 285:2
291:7 292:12
293:3 295:21
304:1,16
313:12
316:12,17

who's 11:3
230:19
279:13
289:23

who've 80:9

whole 23:15
90:18 92:12,
19 109:15
127:10 177:4
179:13
196:12
206:19
240:23
256:24 268:1
270:5 288:20
291:16 303:2
306:3 312:16
315:15

wholly 61:2
76:18

whom 127:24
172:4 207:12
215:22 292:8
303:22
306:17 313:9
316:8

whose 42:14
78:5 262:8

why 28:3
34:11 41:1
44:9,25
48:22,24
51:10 53:1
67:1 89:20
90:25 91:2

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

95:16 100:5
101:22
105:10
112:20,21
123:1 137:8
148:3,15
150:2 152:3
153:9 162:4,
23 183:23
205:11 229:3
235:8,17
260:6 265:3

wide 31:5
53:25 124:6

widely 58:18

widespread
187:13

wife 229:19
233:13

wild 247:22

wildly 84:10

will 4:13,17,
24 5:3,7 6:14
7:20 8:1,5
9:13 12:5,21
14:14 15:10
18:3,9 19:18,
21 20:20
21:4,9 24:15
25:1 26:3,19,
20 27:2
28:15,17
30:17 33:6,17
35:8 36:18,19
37:23 38:8
39:7,16 40:3,
4,5,8,13,14
41:19 42:21
43:17 44:1,2,
10 45:16
47:24 49:10,

19 52:18
56:20 59:4
62:16,22 63:6
64:5,10 65:2,
4 66:9,19
69:4 71:14
73:17 84:1,20
85:16,17,25
86:5 90:23
91:5 93:22
99:17 102:6
104:6,13
106:23 108:6,
24 109:4,5,6,
8 121:24
127:2,3 131:1
132:14 133:8,
13,15,18
134:14,25
135:8,19
136:15,17
143:10
155:16
164:23 169:4
171:16
172:24
175:14,21
180:22 183:5,
7 184:9
185:17 195:8
197:25 198:9
208:16
212:24 222:2
225:11
227:20,22
232:4 233:12
236:2,16
239:5,10
241:4 252:13
253:3 259:1
266:20
271:17
274:24 275:6
276:8,24

286:12 290:5
293:4 297:2
298:22
300:22
301:22 302:6
304:17
305:22
307:14
308:25 309:5,
11,13 310:14
311:15,21
312:14 315:1
317:18,19

willing
164:13,16
189:11

Wills 48:23
219:18,20

Wills' 220:7

wind 154:2

window 257:2

winners
269:8,12

wish 47:17

with 4:19,25
5:7 6:22 8:20
9:3,21,23,24
12:1,18 13:19
14:22 15:24
16:3,7,11,20
17:16 18:25
19:1,16 20:6,
15,22 21:21
22:21 23:2
25:13 27:13
28:17 29:8
32:13,16
33:13,25
34:15 35:14
36:5,20 37:19
39:1,3 40:3,

17,23 41:12,
15 42:15 43:8
47:7 50:15
51:24 52:18,
20,22 53:16
54:24 55:5,11
56:15,17
57:14,22
58:18,23
61:7,18 62:17
63:24 66:3
68:24 70:5,7,
18,22 71:13
72:10 73:6,
10,19 76:24
78:17,24 83:7
85:7 86:8
87:4,14 88:16
90:19 91:18
94:17 101:11
104:4 105:9,
21 107:1
113:8 118:10
120:6,10,14,
24 122:12,25
123:19 124:6
125:18 127:3
130:13 131:7
132:2,6,23
136:15
137:21
138:12,21
139:2,7,10,17
140:5,6
141:4,19,20
142:7 145:21
146:8 147:9
148:25
149:10 150:7,
11 151:6,8,24
152:17 154:1,
20 155:2,13,
24 159:5,6
161:7,15,25

162:3,10
163:23 164:5,
10,17 165:25
166:6,11,16
167:10
168:12,13
176:18,25
177:7,14
178:22,24
181:8,14,21
182:7,10,12
183:15,18
184:9,20
185:10 186:7,
18 187:22
190:7 191:6
192:18 194:3
199:17,25
200:23
203:11,12,20,
23 204:13,21
205:5,6,7,9,
13 209:5,17
210:2,3,13,16
212:12 213:6,
11,22 214:6,
11,23 215:19
216:1,6,9
217:7,22
218:19 219:3,
5,22 220:10,
24 221:13
223:22 228:3,
25 229:4
230:13,21
231:6,9,11,15
233:16 235:3,
17,18 236:9
239:9,10,13,
14 240:19
241:1 242:4,
13 243:3
245:6,21
247:24

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

248:13 249:1, 12 252:11 254:13 259:9 260:2,11,16 262:4,13,20 263:8,12 264:10 265:2, 8,9 267:6,7, 11,12 268:5 269:2 271:5, 11,12 272:7, 22 273:8,12 274:25 279:15 281:20 284:21 285:9, 13,18 289:1, 14 294:3,20 295:1,10 296:1 297:18 298:8 299:21, 24 300:19 301:13,22 307:21 314:5 317:14

within 13:10, 13 18:12 22:19 33:8 53:4 58:16 60:2 61:14 62:8 136:9 208:3 250:7, 16 267:17 272:12 307:2

without 23:19 32:12 33:18 34:17 59:2 61:25 67:25 148:12 188:14 211:16 263:17 308:22

witness 15:13 18:4 23:21,25 24:8,17 29:22 42:2 62:23 65:6 67:17,19 70:25 118:14 126:9 127:12, 16 130:9,16 132:14 134:13 142:20 164:6 167:16,25 169:22 171:12,14,19, 21 173:2 175:18 176:21 179:5, 15,20 180:13 182:21 183:11,14,20 184:15 186:9, 17 187:4 195:23,25 196:2,14,19 197:18 198:11 206:8, 10,21 207:3 211:14 246:12 247:8, 10,17 255:3 269:18 280:13,15 290:20 291:5, 7,18,22 302:20,23 303:4,11 305:18 306:1, 5,9 312:10, 18,23 314:5,6 315:5,7,10, 17,22 317:14, 22 318:22

witness's 67:6

witnesses 7:15,17 14:25 17:22 19:15, 18 23:12 30:21 38:8 67:2 71:16,17 85:2 155:24, 25 186:11 280:6 293:3 304:16

Wolf 296:13

won't 41:24, 25 44:22 67:21 103:23 107:9 108:18 113:9 162:13 310:7,12

wonderfully 101:2

word 22:22 90:14 100:23 238:6 239:13

wording 140:25

words 56:22 77:8 227:12

work 30:6 32:8 37:19 68:15 69:6 124:9 132:22 137:9 146:10, 13 156:20 158:3 190:13 191:24 220:24 225:12 235:24 238:12 244:15 256:22 257:24 294:2

work's 238:11

worked 237:9

workers 40:12,13 77:4 96:24

working 29:23 37:16 40:13 135:21 192:12 194:8, 10 195:19 204:21 214:23 215:2 235:23 237:10 263:20 265:8 286:24

works 48:11 101:2 108:8 255:4,5

workshop 88:8,13 103:11 119:12,13 138:25

workshops 138:23

world 37:14 51:12 101:1 156:24 288:13

worried 109:18

worry 109:19

worse 35:17, 22 109:15 115:2

worth 35:24 36:10 45:9 161:24 261:7

worthiness 16:14 152:18 153:3

would 5:4 8:4, 9,11,14 10:14 11:2 21:16, 18,23 22:13, 20,23 23:9 24:18 25:18 29:7 32:14,19 33:4 34:17 36:17,21 38:20 39:23 42:1 45:17,18 46:22,25 50:13 59:7 60:4 67:18,24 73:14 74:23, 24 75:12 80:17 81:4,5 85:19 88:11, 16 94:12 97:18 102:1, 23 103:22 112:21 118:6, 7 119:17 121:15,25 123:17,18 124:5,24 125:18,21 126:4,6 128:12,20 130:9 132:20 137:20,23 141:15,18,23 142:22 143:2, 15,16,18 145:1 147:3,6 149:4 150:4, 13 151:2,14, 16,21,23 152:6,7,14, 20,21 153:1, 11,24 154:7,

888-893-3767
www.lexitaslegal.com

Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

888-893-3767
www.lexitaslegal.com
Lexitas operates in all 50 states and is licensed where required.
Nevada Registration #116F - California Firm Registration #179

LEXITAS

193:23 194:6
195:14 197:6,
15,21 199:4
200:12,16
204:19 205:6,
11,15 206:3,
13 207:19,22
212:1,15
216:22,24
223:5,21
224:10
225:25 226:5,
14 227:3
228:19
229:10
232:14
234:11,19
237:16,21
238:17 239:2,
18,22 240:3,
6,10,17,25
241:11,15
242:2,16
246:2 249:18
252:16
254:14
255:25
260:15 262:4,
15,17 266:4,
22 267:22
271:24
272:23
276:12
277:12
278:21,25
279:2,4,6,23
281:11,15,17
284:11,20
285:12,20
286:6 291:6
292:16,20
294:22,24
295:3,8,16
296:20 297:5,

24 299:5,7,
16,25 301:6
304:5,9
306:1,23
307:5,8,20
308:6,13
309:3,12
310:19 311:9,
24 313:16,25
314:3

yesterday
4:24

yet 8:5 108:18
173:6 189:9
203:3,16

yield 240:23

yielding
240:20

yourself
49:20 124:15
221:21 234:5
237:3

yourselves
103:15
119:19

Z

---

zero 111:12

zip 300:22

zoning 98:8